

Introduced by Senator Battin

December 6, 2004

Senate Concurrent Resolution No. 1— Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session.

LEGISLATIVE COUNSEL'S DIGEST

SCR 1, as introduced, Battin. Joint Rules.

This measure adopts the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session.

Fiscal committee: no.

*Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following rules be adopted as the Joint Rules of the Senate and Assembly for the 2005–06 Regular Session:*

JOINT RULES OF THE SENATE AND ASSEMBLY

Standing Committees

1. Each house shall appoint standing committees as the business of the house may require, the committees, the number of members, and the manner of selection to be determined by the rules of each house.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen or chairwomen of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of the bill.

### Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any extraordinary session may not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the committees created by those rules.

### Definition of Word “Bill”

4. Whenever the word “bill” is used in these rules, it includes any constitutional amendment, any resolution ratifying a proposed amendment to the United States Constitution, and any resolution calling for a constitutional convention.

### Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions relate to matters connected with the federal government.

### Resolutions Treated as Bills

6. Concurrent and joint resolutions, other than resolutions ratifying proposed amendments to the United States Constitution and resolutions calling for constitutional conventions, shall be treated in all respects as bills except as follows:

(a) They shall be given only one formal reading in each house.

(b) They may not be deemed bills within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.

(c) They may not be deemed bills for the purposes of Rules 10.8, 53, 55, 56, and 61, and subdivisions (a) and (c) of Rule 54 and subdivisions (a) and (b) of Rule 62.

(d) They may not, except for those relating to voting procedures on the floor or in committee, be deemed bills for the purposes of subdivision (c) of Rule 62.

## PREPARATION AND INTRODUCTION OF BILLS

### Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall indicate the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number is not deemed sufficient.

### Division of Bill Into Sections

1 8. A bill amending more than one section of an existing law  
2 shall contain a separate section for each section amended.

3 Bills that are not amendatory of existing laws shall be divided  
4 into short sections, where this can be done without destroying the  
5 sense of any particular section, to the end that future amendments  
6 may be made without the necessity of setting forth and repeating  
7 sections of unnecessary length.

8 Digest of Bills Introduced

9 8.5. A bill may not be introduced unless it is contained in a  
10 cover attached by the Legislative Counsel and it is accompanied  
11 by a digest, prepared and attached to the bill by the Legislative  
12 Counsel, showing the changes in the existing law that are  
13 proposed by the bill. A bill may not be printed where the body of  
14 the bill or the Legislative Counsel's Digest has been altered,  
15 unless the alteration has been approved by the Legislative  
16 Counsel. If any bill is presented to the Secretary of the Senate or  
17 Chief Clerk of the Assembly for introduction, that does not  
18 comply with the foregoing requirements of this rule, the  
19 Secretary or Chief Clerk shall return it to the member who  
20 presented it. The digest shall be printed on the bill as introduced,  
21 commencing on the first page thereof.

22 Digest of Bills Amended

23 8.6. Whenever a bill is amended in either house, the Secretary  
24 of the Senate or the Chief Clerk of the Assembly, as the case may  
25 be, shall request the Legislative Counsel to prepare an amended  
26 digest and cause it to be printed on the first page of the bill as  
27 amended. The digest shall be amended to show changes in the  
28 existing law that are proposed by the bill as amended, with any  
29 material changes in the digest indicated by the use of appropriate  
30 type.

31 Errors in Digest

32 8.7. If a material error in a printed digest referred to in Rule 8.5  
33 or 8.6 is brought to the attention of the Legislative Counsel, he or  
34 she shall prepare a corrected digest that shows the changes made  
35 in the digest as provided in Rule 10 for amendments to bills. He  
36 or she shall deliver the corrected digest to the Secretary of the  
37 Senate or the Chief Clerk of the Assembly, as the case may be. If  
38 the correction so warrants in the opinion of the President pro  
39 Tempore of the Senate or the Speaker of the Assembly, a

1 corrected print of the bill as introduced shall be ordered with the  
2 corrected digest printed thereon.

3 Bills Amending Title 9 of the Government Code

4 8.8. A member who is the first-named author of a bill, that  
5 would amend, add, or repeal any provision of Title 9  
6 (commencing with Section 81000) of the Government Code,  
7 upon introduction or amendment of the bill in either house shall  
8 notify the Chief Clerk of the Assembly or the Secretary of the  
9 Senate, as the case may be, of the nature of the bill. Thereafter,  
10 the Chief Clerk of the Assembly or the Secretary of the Senate  
11 shall deliver a copy of the bill as introduced or amended to the  
12 Fair Political Practices Commission pursuant to Section 81012 of  
13 the Government Code.

14 Restrictions as to Amendments

15 9. A substitute or amendment must relate to the same subject as  
16 the original bill, constitutional amendment, or resolution under  
17 consideration. An amendment is not in order when all that would  
18 be done to the bill is the addition of a coauthor or coauthors,  
19 unless the Committee on Rules of the house in which the  
20 amendment is to be offered grants prior approval.

21 Changes in Existing Law to Be Marked by Author

22 10. In a bill amending or repealing a code section or a general  
23 law, any new matter shall be underlined, and any matter to be  
24 omitted shall be in type bearing a horizontal line through the  
25 center and commonly known as “strikeout” type. When printed  
26 the new matter shall be printed in italics, and the matter to be  
27 omitted shall be printed in “strikeout” type.

28 In an amendment to a bill that sets out for the first time a  
29 section being amended or repealed, any new matter to be added  
30 and any matter to be omitted shall be indicated by the author and  
31 shall be printed in the same manner as though the section as  
32 amended or repealed was a part of the original bill and was being  
33 printed for the first time.

34 When an entire code is repealed as part of a codification or  
35 recodification, or when an entire title, part, division, chapter, or  
36 article of a code is repealed, the sections comprising the code,  
37 title, part, division, chapter, or article shall not be set forth in the  
38 bill or amendment in strikeout type.

39 Rereferral to Fiscal and Rules Committees

1 10.5. A bill shall be rereferred to the fiscal committee of each  
2 house when it would do any of the following:

3 (1) Appropriate money.

4 (2) Result in substantial expenditure of state money by: (a)  
5 imposing new responsibilities on the state, (b) imposing new or  
6 additional duties on a state agency, or (c) liberalizing any state  
7 program, function, or responsibility.

8 (3) Result in a substantial loss of revenue to the state.

9 (4) Result in substantial reduction of expenditures of state  
10 money by reducing, transferring, or eliminating any existing  
11 responsibilities of any state agency, program, or function.

12 Concurrent and joint resolutions shall be rereferred to the fiscal  
13 committee of each house when they contemplate any action that  
14 would involve any of the following:

15 (1) Any substantial expenditure of state money.

16 (2) Any substantial loss of revenue to the state.

17 The above requirements do not apply to bills or concurrent  
18 resolutions that contemplate the expenditure or allocation of  
19 operating funds.

20 A bill that assigns a study to the Joint Legislative Budget  
21 Committee or to the Legislative Analyst shall be rereferred to the  
22 respective rules committees. Before the committee may act upon  
23 the bill, it shall obtain from the Joint Legislative Budget  
24 Committee an estimate of the amount required to be expended to  
25 make the study.

26 This rule may be suspended in either house as to any particular  
27 bill by approval of the Committee on Rules of the house and  
28 two-thirds vote of the membership of the house.

29 Short Title

30 10.6. A bill may not add a short title that names a current or  
31 former Member of the Legislature.

32 Heading of Bills

33 10.7. A bill or resolution may be authored only by a member or  
34 committee of the house of origin. Members or committees that  
35 are not of the house of origin may be “principal coauthors” or  
36 “coauthors.” A bill may not indicate in its heading or elsewhere  
37 that it was introduced at the request of a state agency or officer or  
38 any other person. A bill may not contain the words “By request”  
39 or words of similar import.

40 Consideration of Bills

1 10.8. The limitation contained in subdivision (a) of Section 8  
2 of Article IV of the Constitution may be dispensed with as  
3 follows:

4 (a) A written request for dispensation entitled “Request to  
5 Consider and Act on Bill Within 30 Calendar Days” shall be filed  
6 with the Chief Clerk of the Assembly or the Secretary of the  
7 Senate, as the case may be, and transmitted to the Committee on  
8 Rules of the appropriate house.

9 (b) The Committee on Rules of the Assembly or Senate, as the  
10 case may be, shall determine whether there exists an urgent need  
11 for dispensing with the 30-calendar-day waiting period following  
12 the bill’s introduction.

13 (c) If the Committee on Rules recommends that the waiting  
14 period be dispensed with, the member may offer a resolution,  
15 without further reference thereof to committee, authorizing  
16 hearing and action upon the bill before the 30 calendar days have  
17 elapsed. The adoption of the resolution requires an affirmative  
18 recorded vote of three-fourths of the elected members of the  
19 house in which the resolution is presented.

#### 20 Printing of Amendments

21 11. (a) Any bill amended by either house shall be immediately  
22 reprinted. Except as otherwise provided in subdivision (b), if new  
23 matter is added by the amendment, the new matter shall be  
24 printed in italics in the printed bill; if matter is omitted, the  
25 matter to be omitted shall be printed in strikeout type. When a  
26 bill is amended in either house, the first or previous markings  
27 shall be omitted.

28 (b) If amendments to a bill, including the report of a committee  
29 on conference, are adopted that omit the entire contents of the  
30 bill, the matter omitted need not be reprinted in the amended  
31 version of the bill. Instead, the Secretary of the Senate or the  
32 Chief Clerk of the Assembly, as the case may be, may select the  
33 amended bill and cause to be printed a brief statement to appear  
34 after the last line of the amended bill identifying which  
35 previously printed version of the bill contains the complete text  
36 of the omitted matter.

#### 37 Manner of Printing Bills

38 12. The State Printer shall observe the directions of the Joint  
39 Rules Committee in printing all bills, constitutional amendments,  
40 and concurrent and joint resolutions.

Distribution of Legislative Publications

13. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications as may be necessary for legislative requirements.

A complete list of bills may not be delivered except upon payment therefor of the amount fixed by the Joint Rules Committee for any regular or extraordinary session. No more than one copy of any bill or other legislative publication, nor more than a total of 100 bills or other legislative publications during a session, may be distributed free to any person, office, or organization. The limitations imposed by this paragraph do not apply to Members of the Legislature, the President of the Senate, the Secretary of the Senate, or the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; the Attorney General's office; the Secretary of State's office; the Controller's office; the Governor's office; the Clerk of the Supreme Court; the clerk of the court of appeal for each district; the Judicial Council; the California Law Revision Commission; the State Library; the Library of Congress; the libraries of the University of California at Berkeley and at Los Angeles; or accredited members of the press. The State Printer shall fix the cost of the bills and publications, including postage, and moneys as may be received by him or her shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed may not exceed 2,500.

Legislative Index

13.1. The Legislative Counsel shall provide for the periodic publication of a cumulative Legislative Index, which shall include tables of sections affected by pending legislation. The State Printer shall print the Legislative Index in the quantities, and at the times, determined by the Secretary of the Senate and the Chief Clerk of the Assembly. The costs of that printing shall be paid from the legislative printing appropriation.

Summary Digest

1 13.3. The Legislative Counsel shall compile and prepare for  
2 publication a summary digest of legislation passed at each  
3 regular and extraordinary session, which digest shall be prepared  
4 in a form suitable for inclusion in the publication of statutes. The  
5 digest shall be printed as a separate legislative publication on the  
6 order of the Joint Rules Committee, and may be made available  
7 to the public in the quantities, and at the prices, determined by  
8 the Joint Rules Committee.

9 Statutory Record

10 13.5. The Legislative Counsel shall prepare for publication  
11 from time to time a cumulative statutory record. The statutory  
12 record shall be printed as a legislative publication on the order of  
13 the Secretary of the Senate or the Chief Clerk of the Assembly.

14 OTHER LEGISLATIVE PRINTING

15 Printing of the Daily Journal

16 14. The State Printer shall print, in the quantities directed by  
17 the Secretary of the Senate and the Chief Clerk of the Assembly,  
18 copies of the Daily Journal of each day's proceedings of each  
19 house. At the end of the session he or she shall also print, as  
20 directed by the Secretary of the Senate and the Chief Clerk of the  
21 Assembly, a sufficient number of copies properly paged after  
22 being corrected and indexed by the Secretary of the Senate and  
23 the Chief Clerk of the Assembly, to bind in book form as the  
24 Daily Journal of the respective houses of the Legislature.

25 What Shall Be Printed in the Daily Journal

26 15. The following shall be printed in the Daily Journal of each  
27 house:

28 (a) Messages from the Governor and messages from the other  
29 house, and the titles of all bills, joint and concurrent resolutions,  
30 and constitutional amendments when introduced in, offered to, or  
31 acted upon by, the house.

32 (b) Every vote taken in the house, and a statement of the  
33 contents of each petition, memorial, or paper presented to the  
34 house.

35 (c) A true and accurate account of the proceedings of the  
36 house, when not acting as a Committee of the Whole.

37 Printing of the Daily File



1 16. A Daily File of bills ready for consideration shall be  
2 printed each day for each house when the Legislature is not in  
3 joint recess, except days when a house does not meet.

4 Printing of History

5 17. Each house shall cause to be printed, once each week, a  
6 complete Weekly History of all bills, constitutional amendments,  
7 and concurrent, joint, and house resolutions originating in,  
8 considered by, or acted upon by, the respective houses and  
9 committees thereof. A regular form shall be prescribed by the  
10 Secretary of the Senate and the Chief Clerk of the Assembly. The  
11 Weekly History shall show the action taken upon each measure  
12 up to and including the legislative day preceding its issuance.  
13 Except for periods when the houses are in joint recess, for each  
14 day intervening there shall be printed a Daily History showing  
15 the consideration given to or action taken upon any measure  
16 since the issuance of the complete Weekly History.

17 Authority for Printing Orders

18 18. The State Printer may not print for use of either house, nor  
19 charge to legislative printing, any matter other than provided by  
20 law or by the rules, except upon a written order signed by the  
21 Secretary of the Senate, on behalf of the Senate, or the Chief  
22 Clerk of the Assembly or other person authorized by the  
23 Assembly, on behalf of the Assembly. Persons authorized to  
24 order printing under this rule may, when necessity requires it,  
25 order certain matter printed in advance of the regular order, by  
26 the issuance of a rush order.

27 The Secretary of the Senate, on behalf of the Senate, and the  
28 Chief Clerk of the Assembly or other person authorized by the  
29 Assembly, on behalf of the Assembly, are hereby authorized and  
30 directed to order and distribute for the members stationery and  
31 legislative publications for which there is a demand, and, subject  
32 to the rules of their respective houses, to approve the bills  
33 covering those orders. All bills for printing must be presented by  
34 the State Printer within 30 days after the completion of the  
35 printing.

36 RECORD OF BILLS

37 Secretary and Chief Clerk to Keep Records  
38

1 19. The Secretary of the Senate and the Chief Clerk of the  
2 Assembly shall keep a complete and accurate record of every  
3 action taken by the Senate and Assembly on every bill.

4 Secretary and Chief Clerk Shall Endorse Bills

5 20. The Secretary of the Senate and the Chief Clerk of the  
6 Assembly shall endorse on every original or engrossed bill a  
7 statement of any action taken by the Senate or Assembly  
8 concerning the bill.

9 ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM  
10 THE OTHER  
11

12 After a Bill Has Been Passed by the Senate or Assembly

13 21. When a bill has been passed by either house it shall be  
14 transmitted promptly to the other, unless a motion to reconsider  
15 or a notice of motion to reconsider has been made or it is held  
16 pursuant to some rule or order of the house.

17 The procedure of referring bills to committees shall be  
18 determined by the respective houses.

19 Messages to Be in Writing Under Proper Signatures

20 22. Notice of the action of either house to the other shall be in  
21 writing and under the signature of the Secretary of the Senate or  
22 the Chief Clerk of the Assembly, as the case may be. A receipt  
23 shall be taken from the officer to whom the message is delivered.

24 Consent Calendar: Uncontested Bills

25 22.1. Each standing committee may report an uncontested bill  
26 out of committee with the recommendation that it be placed on  
27 the Consent Calendar. The Secretary of the Senate and the Chief  
28 Clerk of the Assembly shall provide to each committee chairman  
29 or chairwoman appropriate forms for that report. As used in this  
30 rule, "uncontested bill" means a bill that (a) receives a do-pass or  
31 do-pass-as-amended recommendation from the committee to  
32 which it is referred, by unanimous vote of the members present  
33 provided a quorum is present, (b) has no opposition expressed by  
34 any person present at the committee meeting with respect to the  
35 final version of the bill as approved by the committee, and (c)  
36 prior to final action by the committee, has been requested by the  
37 author to be placed on the Consent Calendar.

38 Consent Calendar

39 22.2. Following its second reading and the adoption of any  
40 committee amendments thereto, any bill certified by the

1 committee chairman or chairwoman as an uncontested bill shall  
2 be placed by the Secretary of the Senate or the Chief Clerk of the  
3 Assembly on the Consent Calendar, and shall be known as a  
4 “Consent Calendar bill.” Any Consent Calendar bill that is  
5 amended from the floor shall cease to be a Consent Calendar bill  
6 and shall be returned to the Third Reading File. Upon objection  
7 of any member to the placement or retention of any bill on the  
8 Consent Calendar, the bill shall cease to be a Consent Calendar  
9 bill and shall be returned to the Third Reading File. No Consent  
10 Calendar bill may be considered for adoption until the second  
11 legislative day following the day of its placement on the Consent  
12 Calendar.

13 Consideration of Bills on Consent Calendar

14 22.3. A bill on the Consent Calendar is not debatable, except  
15 that the President of the Senate or the Speaker of the Assembly  
16 shall allow a reasonable time for questions from the floor and  
17 shall permit a proponent of the bill to answer the questions.  
18 Immediately prior to voting on the first bill on the Consent  
19 Calendar, the President of the Senate or the Speaker of the  
20 Assembly shall call to the attention of the members the fact that  
21 the next rollcall will be the rollcall on the first bill on the Consent  
22 Calendar.

23 The Consent Calendar shall be considered as the last order of  
24 business on the Daily File.

25 PASSAGE AND ENROLLING OF BILLS

26 Procedure on Defeat of More Than Majority Bill

27 23.5. Whenever a bill containing a section or sections requiring  
28 for passage an affirmative recorded vote of more than 21 votes in  
29 the Senate and more than 41 votes in the Assembly is being  
30 considered for passage, and the urgency clause, if the bill is an  
31 urgency bill, or the bill, in any case, fails to receive the necessary  
32 votes to make all sections effective, further action may not be  
33 taken on the bill, except that an amendment to remove all  
34 sections requiring the higher vote for passage from the bill shall  
35 be in order prior to consideration of further business. If the  
36 amendment is adopted, the bill shall be reprinted to reflect the  
37 amendment. When the bill is reprinted, it shall be returned to the  
38 same place on the file that it occupied when it failed to receive  
39 the necessary votes.  
40

1                   Enrollment of Bill After Passage

2     24. After a bill has passed both houses it shall be printed in  
3 enrolled form, omitting symbols indicating amendments, and  
4 shall be compared by the Engrossing and Enrolling Clerk and the  
5 proper committee of the house where it originated to determine  
6 that it is in the form approved by the houses. The enrolled bill  
7 shall thereupon be signed by the Secretary of the Senate and  
8 Chief Clerk of the Assembly and, except as otherwise provided  
9 by these rules, presented without delay to the Governor. The  
10 committee shall report the time of presentation of the bill to the  
11 Governor to the house and the record shall be entered in the  
12 Daily Journal. After enrollment and signature by the officers of  
13 the Legislature, constitutional amendments, and concurrent and  
14 joint resolutions, shall be filed without delay in the office of the  
15 Secretary of State and the time of filing shall be reported to the  
16 house and the record entered in the Daily Journal.

17                   AMENDMENTS AND CONFERENCES

18  
19               Amendments to Amended Bills Must Be Attached

20     25. Whenever a bill or resolution that has been passed in one  
21 house is amended in the other, it shall immediately be reprinted  
22 as amended by the house making the amendment or amendments.  
23 One copy of the amendment or amendments shall be attached to  
24 the bill or resolution so amended, and endorsed “adopted”; the  
25 amendment or amendments, if concurred in by the house in  
26 which the bill or resolution originated, shall be endorsed  
27 “concurred in”; and the endorsement shall be signed by the  
28 Secretary or Assistant Secretary of the Senate, or the Chief Clerk  
29 or Assistant Clerk of the Assembly, as the case may be.  
30 However, an amendment to the title of a bill adopted after the  
31 passage of the bill does not necessitate reprinting, but the  
32 amendment must be concurred in by the house in which the bill  
33 originated.

34               Amendments to Concurrent and Joint Resolutions

35     25.5. When a concurrent or joint resolution is amended, and the  
36 only effect of the amendments is to add coauthors, the joint or  
37 concurrent resolution may not be reprinted unless specifically  
38 requested by one of the added coauthors, but a list of the  
39 coauthors shall appear in the Daily Journal and History.

40               To Concur or Refuse to Concur in Amendments

1 26. If the Senate amends and passes an Assembly bill, or the  
2 Assembly amends and passes a Senate bill, the Senate (if it is a  
3 Senate bill) or the Assembly (if it is an Assembly bill) must  
4 either “concur” or “refuse to concur” in the amendments. If the  
5 Senate concurs (if it is a Senate bill), or the Assembly concurs (if  
6 it is an Assembly bill), the Secretary of the Senate or Chief Clerk  
7 of the Assembly shall so notify the house making the  
8 amendments, and the bill shall be ordered to enrollment.

9 Reference to Committee

10 26.5. Pursuant to Rule 26, whenever a bill is returned to its  
11 house of origin for a vote on concurrence in an amendment made  
12 in the other house, the Legislative Counsel shall promptly  
13 prepare and transmit to the Chief Clerk of the Assembly and the  
14 Speaker of the Assembly in the case of an Assembly bill, or to  
15 the Secretary of the Senate and Chair of the Senate Committee on  
16 Rules in the case of a Senate bill, a brief digest summarizing the  
17 effect of the amendment made in the other house. The Secretary  
18 or Chief Clerk shall, upon receipt from the Legislative Counsel,  
19 cause the digest to be printed in the Daily File immediately  
20 following any reference to the bill covered by the digest. A  
21 motion to concur or refuse to concur in the amendment is not in  
22 order until the Legislative Counsel’s Digest has appeared in the  
23 Daily File or an analysis of the bill has been prepared and  
24 distributed pursuant to Senate Rule 29.8 or Assembly Rule 77.

25 If the digest discloses that the amendment of the other house  
26 has made a substantial substantive change in the bill as first  
27 passed by the house of origin, the bill, if it is a Senate bill, shall,  
28 on motion of the Chair of the Senate Committee on Rules, be  
29 referred to the Senate Committee on Rules for reference to an  
30 appropriate standing committee. If the bill is an Assembly bill it  
31 shall be referred by the Speaker to the appropriate committee.

32 Upon receipt of the bill, the committee may, by a vote of a  
33 majority of its membership, recommend concurrence or  
34 nonconcurrence in the amendment or hold the bill in committee.  
35 The committee shall be subject to all the requirements for  
36 procedure provided under Rule 62 for committees, other than  
37 committees of first referral, and shall be subject to other  
38 requirements for normal committee procedure as the Assembly  
39 or Senate may separately provide in the standing rules of their  
40 respective houses.

1 Any of the provisions of this rule may be dispensed with regard  
2 to a particular bill in its house of origin upon an affirmative vote  
3 of a majority of the members of that house.

4 Concurring in Amendments Adding Urgency Section

5 27. When a bill that has been passed in one house is amended  
6 in the other by the addition of a section providing that the act  
7 shall take effect immediately as an urgency statute, and is  
8 returned to the house in which it originated for concurrence in the  
9 amendment or amendments thereto, the procedure and vote  
10 thereon shall be as follows:

11 The presiding officer shall first direct that the urgency section  
12 be read and put to a vote. If two-thirds of the membership of the  
13 house vote in the affirmative, the presiding officer shall then  
14 direct that the question of whether the house shall concur in the  
15 amendment or amendments shall be put to a vote. If two-thirds of  
16 the membership of the house vote in the affirmative, concurrence  
17 in the amendments shall be effective.

18 If the affirmative vote on either of the questions is less than  
19 two-thirds of the membership of the house, the effect is a refusal  
20 to concur in the amendment or amendments, and the procedure  
21 thereupon shall be as provided in Rule 28.

22 When Senate or Assembly Refuses to Concur

23 28. If the Senate (if it is a Senate bill) or the Assembly (if it is  
24 an Assembly bill) refuses to concur in amendments to the bill  
25 made by the other house, and the other house has been notified of  
26 the refusal to concur, a conference committee shall be appointed  
27 for each house in the manner prescribed by these rules. The  
28 Senate Committee on Rules, on behalf of the Senate, and the  
29 Speaker of the Assembly, on behalf of the Assembly, shall each  
30 appoint a committee of three on conference, and the Secretary of  
31 the Senate or the Chief Clerk of the Assembly shall immediately  
32 notify the other house of the action taken.

33 Committee on Conference

34 28.1. (a) The Senate Committee on Rules and the Speaker of  
35 the Assembly, in appointing a committee on conference, shall  
36 each select two members from those voting with the majority on  
37 the point about which the difference has arisen, and the other  
38 member from the minority, in the event there is a minority vote.

1 Whether a member has voted with the majority or minority on  
2 the point about which the difference has arisen is determined by  
3 his or her vote on the appropriate rollcall, as follows:

4 (1) In the Assembly—

5 (A) The rollcall on the question of final passage of a Senate bill  
6 amended in the Assembly when the Senate has refused to concur  
7 with the Assembly amendments.

8 (B) The rollcall on the question of concurrence with Senate  
9 amendments to an Assembly bill.

10 (2) In the Senate—

11 (A) The rollcall on the question of final passage of an  
12 Assembly bill amended in the Senate when the Assembly has  
13 refused to concur with the Senate amendments.

14 (B) The rollcall on the question of concurrence with Assembly  
15 amendments to a Senate bill.

16 (b) Either house may suspend this rule by a two-thirds vote of  
17 the membership of the house.

18 Meetings and Reports of Committees on Conference

19 29. The first Senator named on the conference committee shall  
20 act as chairman or chairwoman of the committee from the  
21 Senate, and the first Member of the Assembly named on the  
22 committee shall act as chairman or chairwoman of the committee  
23 from the Assembly. The chairman or chairwoman of the  
24 committee on conference for the house of origin of the bill shall  
25 arrange the time and place of meeting of the conference  
26 committee, and shall prepare or direct the preparation of reports.  
27 It shall require an affirmative vote of not less than two of the  
28 Assembly Members and two of the Senate Members constituting  
29 the committee on conference to agree upon a report, and the  
30 report shall be submitted to both the Senate and the Assembly.  
31 The committee on conference shall report to both the Senate and  
32 the Assembly. The report is not subject to amendment. If either  
33 house refuses to adopt the report, the conferees shall be  
34 discharged and other conferees appointed, except that no more  
35 than three different conference committees may be appointed on  
36 any one bill. A member who has served on a committee on  
37 conference may not be appointed a member of another committee  
38 on conference on the same bill. It shall require the same  
39 affirmative recorded vote to adopt any conference report as  
40 required by the California Constitution upon the final passage of

1 the bill affected by the report. It shall require an affirmative  
2 recorded vote of two-thirds of the entire elected membership of  
3 each house to adopt any conference report affecting any bill that  
4 contains an item or items of appropriation that are subject to  
5 subdivision (d) of Section 12 of Article IV of the California  
6 Constitution. The report of a conference committee shall be in  
7 writing, and shall have affixed thereto the signatures of each  
8 Senator and each Member of the Assembly consenting to the  
9 report. Space shall also be provided where a member of a  
10 conference committee may indicate his or her dissent in the  
11 committee's findings. Any dissenting member may have attached  
12 to a conference committee report a dissenting report which shall  
13 not exceed, in length, the majority committee report. A copy of  
14 any amendments proposed in the majority report shall be placed  
15 on the desk of each member of the house before it is acted upon  
16 by the house.

17 The vote on concurrence or upon the adoption of the  
18 conference report shall be deemed the vote upon final passage of  
19 the bill.

#### 20 Conference Committees

21 29.5. (a) All meetings of any conference committee on the  
22 Budget Bill shall be open and readily accessible to the public.

23 A conference committee on any bill may not meet, consider, or  
24 act on the subject matter of the bill except in a meeting that is  
25 open and readily accessible to the public, unless the action is on  
26 a report determined by the Legislative Counsel to be  
27 nonsubstantive. The Legislative Counsel shall examine each  
28 proposed report and shall note upon the face of the report that the  
29 amendments proposed are "substantive" or "nonsubstantive" as  
30 the case may be.

31 The chairman or chairwoman of the conference committee of  
32 each house shall give notice to the File Clerk of their respective  
33 houses of the time and place of the meeting. Notice of each  
34 public meeting shall be published in the Daily File of each house  
35 one calendar day prior to the meeting, except that the notice is  
36 not required for a meeting of a conference committee on the  
37 Budget Bill. When this subdivision is waived with respect to a  
38 meeting of any public conference committee, or when there is a  
39 meeting of a conference committee on the Budget Bill, every  
40 effort shall be made to inform the public that a meeting has been



called. When this subdivision has been waived with respect to the meeting of any public conference committee, the chairman or chairwoman of the conference committee of each house shall immediately notify the chairman or chairwoman of the policy committee of their respective houses that considered the bill in question of the waiver, and of the time and place of the meeting.

(b) The first committee on conference of the Budget Bill, if a committee is appointed, shall submit its report to each house no later than 15 days after the Budget Bill has been passed by both houses. If the report is not submitted by that date, the conference committee shall be deemed to have reached no agreement and shall so inform each house pursuant to Rule 30.7.

(c) A committee on conference of the Budget Bill may consider only differences between the Assembly version of the Budget Bill as passed by the Assembly and the Senate version of the Budget Bill as passed by the Senate, and may not approve any item of expenditure or control that exceeds that contained in one of the two versions before the conference committee.

(d) A conference committee on any bill, other than the Budget Bill, may not approve any substantial financial provision in any bill if the financial provision has not been heard by the fiscal committee of each house, nor may any conference committee approve substantial policy changes that have not been heard by the policy committee of each house.

(e) A waiver of the one-calendar-day Daily File notice requirement of subdivision (a) is not effective for longer than three calendar days.

#### Conference Committee Reports

30. Upon submission of any report of a committee on conference recommending that the bill be further amended, the bill shall be reprinted incorporating the amendments recommended by the conference committee. The consideration of the report of a committee on conference is not in order until the bill, in the form recommended by the report of the committee on conference, has both been in print and been noticed in the Daily File for not less than one legislative day.

If the conference committee's report recommends only that the amendments of the Senate or the Assembly "be concurred in," consideration of the report shall be in order at any time, and

1 reprinting of the bill is not required, but notice shall appear in the  
2 Daily File for not less than one legislative day.

3 A conference committee report is not in order unless it has  
4 been received by the Secretary of the Senate and the Chief Clerk  
5 of the Assembly at least three calendar days preceding the  
6 scheduled commencement of the summer, interim, or final recess  
7 of the Legislature.

8 This rule may be suspended as to any particular conference  
9 committee report by a two-thirds vote of the membership of  
10 either house.

11 This rule does not apply to a report of a committee on  
12 conference on the Budget Bill.

13 Conference Committee Reports on Urgency Statutes

14 30.5. When the report of a committee on conference  
15 recommends the amendment of a bill by the addition of a section  
16 providing that the act shall take effect immediately as an urgency  
17 statute, the procedure and the vote thereon shall be as follows:

18 The presiding officer shall first direct that the urgency section  
19 be read and put to a vote. If two-thirds of the members elected to  
20 the house vote in the affirmative, the presiding officer shall then  
21 direct that the question of whether the house shall adopt the  
22 report of the committee on conference shall be put to a vote. If  
23 two-thirds of the members elected to the house vote in the  
24 affirmative, the adoption of the report and the amendments  
25 proposed thereby shall be effective.

26 If the affirmative vote on either of the questions is less than  
27 two-thirds of the members elected to the house, the effect is a  
28 refusal to adopt the report of the committee on conference.

29 Failure to Agree on Report

30 30.7. A conference committee may find and determine that it is  
31 unable to submit a report to the respective houses, upon the  
32 affirmative vote to that effect of not less than two of the  
33 Assembly Members and not less than two of the Senate Members  
34 constituting the committee. That finding may be submitted to the  
35 Chief Clerk of the Assembly and the Secretary of the Senate in  
36 the form of a letter from the chairman or chairwoman of the  
37 committee on conference for the house of origin of the bill,  
38 containing the signatures of the members of the committee  
39 consenting to the finding and determination that the committee is  
40 unable to submit a report. The Chief Clerk of the Assembly and

1 the Secretary of the Senate, upon being notified that a conference  
2 committee is unable to submit a report, shall so inform each  
3 house, whereupon the conferees shall be discharged and other  
4 conferees appointed, in accordance with Rule 29.

5 MISCELLANEOUS PROVISIONS  
6

7 Authority When Rules Do Not Govern

8 31. All relations between the houses that are not covered by  
9 these rules shall be governed by Mason's Manual.

10 Press Rules

11 32. (a) Any person desiring privileges of an accredited press  
12 representative shall make application to the Joint Rules  
13 Committee. The application shall constitute compliance with any  
14 provisions of the rules of the Assembly or the Senate with respect  
15 to registration of news correspondents. The application shall state  
16 in writing the name of any daily newspaper, periodic publication,  
17 news association, or radio or television station that employs the  
18 press representative, and any other occupations or employment  
19 he or she may have. The press representative shall further declare  
20 in the application that he or she is not employed, directly or  
21 indirectly, to assist in the prosecution of the legislative business  
22 of any person, corporation, or association, and will not become  
23 so employed while retaining the privilege of an accredited press  
24 representative.

25 (b) The application required by subdivision (a) of this rule shall  
26 be authenticated in a manner that is satisfactory to the Standing  
27 Committee of the Capitol Correspondents Association, which  
28 shall see that occupation of seats and desks in the Senate and the  
29 Assembly Chambers is confined to bona fide correspondents of  
30 reputable standing in their business, who represent daily  
31 newspapers requiring a daily file of legislative news, qualified  
32 periodic publications, or news associations requiring daily  
33 telegraphic or radio or television service on legislative news. It is  
34 the duty of the standing committee, at its discretion, to report any  
35 violation of accredited press privileges to the Speaker of the  
36 Assembly or the Senate Committee on Rules and, pending action  
37 thereon, the offending correspondent may be suspended by the  
38 standing committee.

39 (c) Except as otherwise provided in this subdivision, persons  
40 engaged in other occupations whose chief attention is not given

1 to newspaper correspondence or to news associations requiring  
2 telegraphic or radio or television service are not entitled to the  
3 privileges accorded accredited press representatives. The press  
4 list in the Handbook of the California Legislature and the Senate  
5 and Assembly Histories shall be a list of only those persons  
6 authenticated by the Standing Committee of the Capitol  
7 Correspondents Association. Accreditation may be granted to  
8 any bona fide correspondent of reputable standing employed by a  
9 periodic publication of general circulation if the applicant is  
10 employed on a full-time basis in the Capitol area preparing  
11 articles dealing with state government and politics and the  
12 publication is not an organ or organization involved in legislative  
13 advocacy.

14 (d) The press seats and desks in the Senate and Assembly  
15 Chambers shall be under the control of the standing committee of  
16 correspondents, subject to the approval and supervision of the  
17 Speaker of the Assembly and the Senate Committee on Rules.  
18 Press cards shall be issued by the President of the Senate and the  
19 Speaker of the Assembly only to correspondents properly  
20 accredited in accordance with this rule.

21 (e) One or more rooms shall be assigned for the exclusive use  
22 of correspondents during the legislative session, which rooms  
23 shall be known as the Press Room. The Press Room shall be  
24 under the control of the Chief of the Office of Buildings and  
25 Grounds, provided that all rules and regulations must be  
26 approved by the Senate Committee on Rules and the Speaker of  
27 the Assembly.

28 (f) An accredited member of the Capitol Correspondents  
29 Association may not, for compensation, perform any service for  
30 state constitutional officers or members of their staffs, for state  
31 agencies, for the Legislature, for candidates for state office, for a  
32 state officeholder, or for any person registered or performing as a  
33 legislative advocate.

34 (g) An accredited member of the association who violates  
35 subdivision (a) or (f) of this rule shall be subject to the following  
36 penalties:

37 (1) For the first offense, the Standing Committee of the Capitol  
38 Correspondents Association shall send a letter of admonition to  
39 the offending member, his or her employer, and the Joint Rules  
40 Committee. The letter shall state the nature of the member's rule

1 violation and shall warn of an additional penalty for a second  
2 offense.

3 (2) For a second offense, the Standing Committee of the  
4 Capitol Correspondents Association shall recommend to the Joint  
5 Rules Committee that the member's accreditation be suspended  
6 or revoked and that he or she lose all rights and privileges  
7 attached thereto. The Standing Committee of the Capitol  
8 Correspondents Association shall also dismiss the member from  
9 the association.

10 Any member of the Standing Committee of the Capitol  
11 Correspondents Association may propose that the committee  
12 make an inquiry to determine if an association member has  
13 violated subdivision (a) or (f) of this rule. Upon a majority vote  
14 of the Standing Committee of the Capitol Correspondents  
15 Association, an inquiry shall be made.

16 Upon receipt of a signed, written notice from any association  
17 member of his or her belief that another association member may  
18 have violated subdivision (a) or (f) of this rule, the Standing  
19 Committee of the Capitol Correspondents Association shall  
20 commence an inquiry into the possible violation.

21 If the Standing Committee of the Capitol Correspondents  
22 Association determines by majority vote that an association  
23 member has violated an association rule, it shall inform the  
24 member of its finding. Within two weeks of notification, the  
25 member may request a meeting of the membership. If the  
26 member makes that request, the Standing Committee of the  
27 Capitol Correspondents Association shall promptly schedule a  
28 meeting at the earliest possible time. After hearing the member  
29 and the committee review the circumstances of the alleged  
30 violation, the membership may, by majority vote, nullify the  
31 finding of the Standing Committee of the Capitol Correspondents  
32 Association. If nullification does not occur, the Standing  
33 Committee of the Capitol Correspondents Association  
34 immediately shall impose the appropriate penalty.

35 Dispensing With Joint Rules

36 33. A joint rule may not be dispensed with except by a vote of  
37 two-thirds of each house or as otherwise provided in these rules.  
38 If either house violates a joint rule, a question of order may be  
39 raised in the other house and decided in the same manner as in  
40 the case of the violation of the rules of the house. If it is decided

1 that the joint rules have been violated, the bill involving the  
2 violation shall be returned to the house in which it originated,  
3 and the disputed matter shall be considered in like manner as in  
4 conference committee.

5         Dispensing with Joint Rules: Unanimous Consent

6         33.1. Notwithstanding any other rule, a joint rule that may be  
7 dispensed with by one house may be done so by unanimous  
8 consent if the rules committee of that house has approved.

9         Opinions of Legislative Counsel

10         34. Whenever the Legislative Counsel issues an opinion to any  
11 person other than the first-named author analyzing the  
12 constitutionality, operation, or effect of a bill or other legislative  
13 measure that is then pending before the Legislature or of any  
14 amendment made or proposed to be made to the bill or measure,  
15 he or she is authorized and instructed to deliver two copies of the  
16 opinion to the first-named author as promptly as feasible after the  
17 delivery of the original opinion and also to deliver a copy to any  
18 other author of the bill or measure who so requests. A copy of  
19 any letter prepared by the Legislative Counsel for the sole  
20 purpose of advising a member of a conflict between two or more  
21 bills as to the sections of law being amended, repealed, or added  
22 shall be submitted to the chairman or chairwoman of the  
23 committee to which each bill has been referred.

24         Resolutions Prepared by Legislative Counsel

25         34.1. Whenever the Legislative Counsel has been requested to  
26 draft a resolution commemorating or taking note of any event, or  
27 a resolution congratulating or expressing sympathy toward any  
28 person, and subsequently receives a similar request from another  
29 Member of the Legislature, he or she shall inform that requester  
30 and each subsequent requester that a resolution is being, or has  
31 been, prepared, and shall inform them of the name of the member  
32 for whom the resolution was, or is being, prepared.

33         Resolutions

34         34.2. A concurrent resolution, Senate resolution, or House  
35 resolution may be introduced to memorialize the death of a  
36 present or former state or federal elected official or a member of  
37 his or her immediate family. In all other instances, a resolution  
38 other than a concurrent resolution, as specified by the Committee  
39 on Rules of each house, or as provided by the Joint Rules  
40 Committee in those cases requiring that the resolution should

1 emanate from both houses, shall be used for the purpose of  
2 commendation, congratulation, sympathy, or regret with respect  
3 to any person, group, or organization.

4 A concurrent resolution requesting the Governor to issue a  
5 proclamation may not be introduced without the prior approval of  
6 the Committee on Rules of the house in which the resolution is to  
7 be introduced.

8 Identical Drafting Requests

9 34.5. Whenever it comes to the attention of the Legislative  
10 Counsel that a member has requested the drafting of a bill that  
11 will be substantially identical to one already introduced, the  
12 Legislative Counsel shall inform the member of that fact.

13 Expense of Members

14 35. As provided in Section 8902 of the Government Code, each  
15 Member of the Legislature is entitled to reimbursement for living  
16 expenses while required to be in Sacramento to attend a session  
17 of the Legislature, while traveling to and from or in attendance at  
18 a committee meeting, or while attending to any legislative  
19 function or responsibility as authorized or directed by legislative  
20 rules or the Committee on Rules of the house of which he or she  
21 is a member, at the same rate as may be established by the State  
22 Board of Control for other elected state officers. Each member  
23 shall be reimbursed for travel expenses incurred in traveling to  
24 and from a session of the Legislature, when traveling to and from  
25 a meeting of a committee of which he or she is a member, or  
26 when traveling pursuant to any other legislative function or  
27 responsibility as authorized or directed by legislative rules or the  
28 Committee on Rules of the house of which he or she is a  
29 member, at the rate prescribed by Section 8903 of the  
30 Government Code.

31 Expense allowances for Members of the Senate and Assembly  
32 shall be approved and certified to the Controller by the Secretary  
33 of the Senate, on behalf of the Senate, and the Chief Clerk of the  
34 Assembly or other person authorized by the Assembly  
35 Committee on Rules, on behalf of the Assembly, weekly or as  
36 otherwise directed by either house, and upon certification the  
37 Controller shall draw his or her warrants in payment of the  
38 allowances to the respective members.

39 Issuance of Subpoenas

1 35.5. A subpoena requiring the attendance of a witness or the  
2 production of documents may be issued by the Senate Committee  
3 on Rules, the Speaker of the Assembly, or the chairman or  
4 chairwoman of a committee conducting an investigation only if  
5 permission has been secured from the rules committee of the  
6 respective house, or from the Joint Rules Committee if the  
7 subpoena is issued by the chairman or chairwoman of a joint  
8 committee.

9 Investigating Committees

10 36. In order to expedite the work of the Legislature, either  
11 house, or both houses jointly, may by resolution or statute  
12 provide for the appointment of committees to ascertain facts and  
13 to make recommendations as to any subject within the scope of  
14 legislative regulation or control.

15 The resolution providing for the appointment of a committee  
16 pursuant to this rule shall state the purpose of the committee and  
17 the scope of the subject concerning which it is to act, and may  
18 authorize it to act either during sessions of the Legislature or,  
19 when authorization may lawfully be made, after final  
20 adjournment.

21 In the exercise of the power granted by this rule, each  
22 committee may employ clerical, legal, and technical assistants as  
23 may be authorized by: (a) the Joint Rules Committee in the case  
24 of a joint committee, (b) the Senate Committee on Rules in the  
25 case of a Senate committee, or (c) the Assembly Committee on  
26 Rules in the case of an Assembly committee.

27 Except as otherwise provided herein for joint committees or by  
28 the rules of the Senate or the Assembly for single house  
29 committees, each committee may adopt and amend rules  
30 governing its procedure as may appear necessary and proper to  
31 carry out the powers granted and duties imposed under this rule.  
32 The rules may include provisions fixing the quorum of the  
33 committee and the number of votes necessary to take action on  
34 any matter. With respect to all joint committees, a majority of the  
35 membership from each house constitutes a quorum, and an  
36 affirmative vote of a majority of the membership from each  
37 house is necessary for the committee to take action.

38 Each committee is authorized and empowered to summon and  
39 subpoena witnesses, to require the production of papers, books,  
40 accounts, reports, documents, records, and papers of every kind



1 and description, to issue subpoenas, and to take all necessary  
2 means to compel the attendance of witnesses and to procure  
3 testimony, oral and documentary. A committee's issuance of a  
4 subpoena shall comply with Rule 35.5.

5 Each member of the committees is authorized and empowered  
6 to administer oaths, and all of the provisions of Chapter 4  
7 (commencing with Section 9400) of Part 1 of Division 2 of Title  
8 2 of the Government Code, relating to the attendance and  
9 examination of witnesses before the Legislature and the  
10 committees thereof, apply to the committees. A committee may  
11 grant a witness immunity from criminal prosecution, pursuant to  
12 subdivision (a) of Section 9410 of the Government Code, only  
13 after securing permission from the rules committee of the  
14 respective house, or from the Joint Rules Committee in the case  
15 of a joint committee.

16 The Sergeant at Arms of the Senate or Assembly, or other  
17 person as may be designated by the chairman or chairwoman of  
18 the committee, shall serve any and all subpoenas, orders, and  
19 other process that may be issued by the committee, when directed  
20 to do so by the chairman or chairwoman, or by a majority of the  
21 membership of the committee.

22 Every department, commission, board, agency, officer, and  
23 employee of the state government, including the Legislative  
24 Counsel and the Attorney General and their subordinates, and of  
25 every political subdivision, county, city, or public district of or in  
26 this state, shall give and furnish to these committees and to their  
27 subcommittees upon request information, records, and  
28 documents as the committees deem necessary or proper for the  
29 achievement of the purposes for which each committee was  
30 created.

31 Each committee or subcommittee of either house, in  
32 accordance with the rules of that respective house, and each joint  
33 committee or subcommittee thereof, may meet at any time during  
34 the period in which it is authorized to act, either at the State  
35 Capitol or at any other place in the State of California, in public  
36 or executive session, and do any and all things necessary or  
37 convenient to enable it to exercise the powers and perform the  
38 duties herein granted to it or accomplish the objects and purposes  
39 of the resolution creating it, subject to the following exceptions:

40 (a) When the Legislature is in session:

1 (1) A committee or subcommittee of either house may not meet  
2 outside the State Capitol without the prior approval of the Senate  
3 Committee on Rules with respect to Senate committees and  
4 subcommittees, or the Speaker of the Assembly with respect to  
5 Assembly committees and subcommittees.

6 (2) A committee or subcommittee of either house, other than a  
7 standing committee or subcommittee thereof, may not meet  
8 unless notice of the meeting has been printed in the Daily File for  
9 four days prior thereto. This requirement may be waived by a  
10 majority vote of either house with respect to a particular bill.

11 (3) A joint committee or subcommittee thereof, other than the  
12 Joint Committees on Legislative Audit, Legislative Budget, and  
13 Rules, may not meet outside the State Capitol without the prior  
14 approval of the Joint Rules Committee.

15 (4) A joint committee or subcommittee thereof, other than the  
16 Joint Committees on Legislative Audit, Legislative Budget, and  
17 Rules, may not meet unless notice of the meeting has been  
18 printed in the Daily File for four days prior thereto.

19 (b) When the Legislature is in joint recess, each joint  
20 committee or subcommittee, other than the Joint Committees on  
21 Legislative Audit, Legislative Budget, and Rules, shall notify the  
22 Joint Rules Committee at least two weeks prior to a meeting.

23 (c) The requirements placed upon joint committees by  
24 subdivisions (a) and (b) of this rule may be waived as deemed  
25 necessary by the Joint Rules Committee.

26 Each committee may expend such money as is made available  
27 to it for its purpose, but a committee may not incur any  
28 indebtedness unless money has been first made available  
29 therefor.

30 Living expenses may not be allowed in connection with  
31 legislative business for a day on which the member receives  
32 reimbursement for expenses while required to be in Sacramento  
33 to attend a session of the Legislature. The chairman or  
34 chairwoman of each committee shall audit and approve the  
35 expense claims of the members of the committee, including  
36 claims for mileage in connection with attendance on committee  
37 business, or in connection with specific assignments by the  
38 committee chairman or chairwoman, but excluding other types of  
39 mileage, and shall certify the amount approved to the Controller.

1 The Controller shall draw his or her warrants upon the  
2 certification of the chairman or chairwoman.

3 Subject to the rules of each house for the respective  
4 committees of each house, or the joint rules for any joint  
5 committee, with the permission of the appointing authority of the  
6 respective house, or the permission of the appointing authorities  
7 of the two houses in the case of a joint committee, the chairman  
8 or chairwoman of any committee may appoint subcommittees  
9 and chairmen or chairwomen thereof for the purpose of more  
10 expeditiously handling and considering matters referred to it, and  
11 the subcommittees and the chairmen or chairwomen thereof shall  
12 have all the powers and authority herein conferred upon the  
13 committee and its chairman or chairwoman. The chairman or  
14 chairwoman of a subcommittee shall audit the expense claims of  
15 the members of the subcommittee, and other claims and the  
16 expenses incurred by it, and shall certify the amount thereof to  
17 the chairman or chairwoman of the committee, who shall, if he or  
18 she approves the same, certify the amount thereof to the  
19 Controller; the Controller shall draw his or her warrant therefor  
20 upon that certification, and the Treasurer shall pay the same. Any  
21 committee or subcommittee thereof that is authorized to leave the  
22 State of California in the performance of its duties shall, while  
23 out of the state, have the same authority as if it were acting and  
24 functioning within the state, and the members thereof shall be  
25 reimbursed for expenses.

26 Notwithstanding any other provision of this rule, if the  
27 standing rules of either house require that expense claims of  
28 committees for goods or services, pursuant to contracts, or for  
29 expenses of employees or members of committees be audited or  
30 approved, after approval of the committee chairman or  
31 chairwoman, by another agency of either house, the Controller  
32 shall draw his or her warrants only upon the certification of the  
33 other agency. All expense claims approved by the chairman or  
34 chairwoman of any joint committee, other than the Joint  
35 Legislative Budget Committee and the Joint Legislative Audit  
36 Committee, shall be approved by the Joint Rules Committee, and  
37 the Controller shall draw his or her warrants only upon the  
38 certification of the Joint Rules Committee.

39 Except salary claims of employees clearly subject to federal  
40 withholding taxes and the requirement as to loyalty oaths, claims

1 presented for services or pursuant to contract shall refer to the  
2 agreement, the terms of which shall be made available to the  
3 Controller.

#### 4 Expenses of Committee Employees

5 36.1. Unless otherwise provided by respective house or  
6 committee rule or resolution, employees of legislative  
7 committees, when entitled to traveling expenses, are entitled to  
8 allowances in lieu of actual expenses for hotel accommodations,  
9 breakfast, lunch, and dinner, at the rates fixed by the State Board  
10 of Control from time to time in limitation of reimbursement of  
11 expenses of state employees generally. However, if an allowance  
12 for hotel accommodations, breakfast, lunch, and dinner is made  
13 by a committee at a rate in excess of the rate fixed by the State  
14 Board of Control, the chairman or chairwoman of the committee  
15 shall notify the Controller of that fact in writing.

#### 16 Appointment of Committees

17 36.5. This rule applies whenever a joint committee is created  
18 by a statute or resolution that either provides that appointments  
19 be made and vacancies be filled in the manner provided for in the  
20 Joint Rules, or makes no provision for the appointment of  
21 members or the filling of vacancies.

22 The Senate members of the committee shall be appointed by  
23 the Senate Committee on Rules; the Assembly members of the  
24 committee shall be appointed by the Speaker of the Assembly;  
25 and vacancies occurring in the membership of the committee  
26 shall be filled by the respective appointing powers. The members  
27 appointed shall hold over until their successors are regularly  
28 selected.

#### 29 Appointment of Joint Committee Chairmen or Chairwomen

30 36.7. The chairman or chairwoman of each joint committee  
31 heretofore or hereafter created, except the Joint Legislative  
32 Budget Committee and the Joint Legislative Audit Committee,  
33 shall be appointed by the Joint Rules Committee from a member  
34 or members recommended by the Senate Committee on Rules  
35 and the Speaker of the Assembly.

#### 36 Joint Committee Funds

37 36.8. Each joint committee heretofore or hereafter created,  
38 except the Joint Legislative Budget Committee and the Joint  
39 Legislative Audit Committee, shall expend the funds heretofore  
40 or hereafter made available to it in compliance with the policies

1 set forth by the Joint Rules Committee with respect to personnel,  
2 salaries, purchasing, office space assignment, contractual  
3 services, rental or lease agreements, travel, and any and all other  
4 matters relating to the management and administration of  
5 committee affairs.

6 Joint Legislative Budget Committee

7 37. In addition to any other committee provided for by these  
8 rules, there is a joint committee to be known as the Joint  
9 Legislative Budget Committee, which is hereby declared to be a  
10 continuing body.

11 It is the duty of the committee to ascertain facts and make  
12 recommendations to the Legislature and to the houses thereof  
13 concerning the state Budget, the revenues and expenditures of the  
14 state, and the organization and functions of the state and its  
15 departments, subdivisions, and agencies, with a view to reducing  
16 the cost of the state government and securing greater efficiency  
17 and economy.

18 The committee consists of eight Members of the Senate and  
19 eight Members of the Assembly. The Senate members of the  
20 committee shall be appointed by the Senate Committee on Rules.  
21 The Assembly members of the committee shall be appointed by  
22 the Speaker of the Assembly. The committee shall select its own  
23 chairman or chairwoman.

24 Any vacancy occurring at any time in the Senate membership  
25 of the Joint Legislative Budget Committee shall be filled by the  
26 Senate Committee on Rules, and the Senators appointed shall  
27 hold over until their successors are regularly selected. For the  
28 purposes of this rule, a vacancy shall be deemed to exist as to a  
29 Senator whose term is expiring whenever he or she is not  
30 reelected at the general election.

31 Any vacancy occurring at any time in the Assembly  
32 membership of the Joint Legislative Budget Committee shall be  
33 filled by appointment by the Speaker of the Assembly, and the  
34 Members of the Assembly appointed shall hold over between  
35 regular sessions until their successors are regularly selected. For  
36 the purposes of this rule, a vacancy shall be deemed to exist as to  
37 a Member of the Assembly whose term is expiring whenever he  
38 or she is not reelected at the general election.

39 The committee may adopt rules to govern its own proceedings  
40 and its employees. The committee, with the permission of the

1 appointing authorities of the two houses, may also create  
2 subcommittees from its membership, assigning to its  
3 subcommittees any study, inquiry, investigation, or hearing that  
4 the committee itself has authority to undertake or hold. A  
5 subcommittee for the purpose of this assignment has and may  
6 exercise all the powers conferred upon the committee, limited  
7 only by the express terms of any rule or resolution of the  
8 committee defining the powers and duties of the subcommittee.  
9 Those powers may be withdrawn or terminated at any time by the  
10 committee.

11 The Joint Legislative Budget Committee may render services  
12 to any investigating committee of the Legislature pursuant to  
13 contract between the Joint Legislative Budget Committee and the  
14 committee for which the services are to be performed. The  
15 contract may provide for payment to the Joint Legislative Budget  
16 Committee of the cost of the services from the funds  
17 appropriated to the contracting investigating committee. All  
18 legislative investigating committees are authorized to enter into  
19 those contracts with the Joint Legislative Budget Committee.  
20 Money received by the Joint Legislative Budget Committee  
21 pursuant to any agreement shall be in augmentation of the current  
22 appropriation for the support of the Joint Legislative Budget  
23 Committee.

24 The provisions of Rule 36 shall apply to the Joint Legislative  
25 Budget Committee, which has all the authority provided in that  
26 rule or pursuant to Section 11 of Article IV of the California  
27 Constitution.

28 The committee has authority to appoint a Legislative Analyst,  
29 to fix his or her compensation, to prescribe his or her duties, and  
30 to appoint any other clerical and technical employees as may  
31 appear necessary. The duties of the Legislative Analyst are as  
32 follows:

33 (1) To ascertain the facts and make recommendations to the  
34 Joint Legislative Budget Committee and, under its direction, to  
35 the committees of the Legislature concerning:

- 36 (a) The state Budget.
- 37 (b) The revenues and expenditures of the state.
- 38 (c) The organization and functions of the state and its  
39 departments, subdivisions, and agencies.

1 (2) To assist the Senate Budget and Fiscal Review Committee  
2 and the Assembly Committees on Appropriations and Budget in  
3 consideration of the Budget, all bills carrying express or implied  
4 appropriations, and all legislation affecting state departments and  
5 their efficiency; to appear before any other legislative committee;  
6 and to assist any other legislative committee upon instruction by  
7 the Joint Legislative Budget Committee.

8 (3) To provide all legislative committees and Members of the  
9 Legislature with information obtained under the direction of the  
10 Joint Legislative Budget Committee.

11 (4) To maintain a record of all work performed by the  
12 Legislative Analyst under the direction of the Joint Legislative  
13 Budget Committee, and to keep and make available all  
14 documents, data, and reports submitted to him or her by any  
15 Senate, Assembly, or joint committee. The committee may meet  
16 either during sessions of the Legislature, any recess thereof, or  
17 after final adjournment, and may meet or conduct business at any  
18 place within the State of California.

19 The chairman or chairwoman of the committee or, in the event  
20 of that person's inability to act, the vice chairman or vice  
21 chairwoman, shall audit and approve the expenses of members of  
22 the committee or salaries of the employees, and all other  
23 expenses incurred in connection with the performance of its  
24 duties by the committee. The chairman or chairwoman shall  
25 certify to the Controller the expense amount approved, the  
26 Controller shall draw his or her warrants upon the certification of  
27 the chairman or chairwoman, and the Treasurer shall pay the  
28 same to the chairman or chairwoman of the committee, to be  
29 disbursed by the chairman or chairwoman.

30 On and after the commencement of a succeeding regular  
31 session, those members of the committee who continue to be  
32 Members of the Senate and Assembly, respectively, continue as  
33 members of the committee until their successors are appointed,  
34 and the committee continues with all its powers, duties,  
35 authority, records, papers, personnel, and staff, and all funds  
36 theretofore made available for its use.

37 Upon the conclusion of its work, any Assembly, Senate, or  
38 joint committee (other than a standing committee) shall deliver to  
39 the Legislative Analyst for use and custody all documents, data,  
40 reports, and other materials that have come into the possession of

1 the committee and that are not included within the final report of  
2 the committee to the Assembly, Senate, or the Legislature, as the  
3 case may be. The documents, data, reports, and other materials  
4 shall be available, upon request, to Members of the Legislature,  
5 the Senate Office of Research, and the Assembly Office of  
6 Research.

7 The Legislative Analyst, with the consent of the committee,  
8 shall make available to any Member or committee of the  
9 Legislature any other reports, records, documents, or other data  
10 under his or her control, except that reports prepared by the  
11 Legislative Analyst in response to a request from a Member or  
12 committee of the Legislature may be made available only with  
13 the written permission of the member or committee who made  
14 the request.

15 The Legislative Analyst, upon the receipt of a request from any  
16 committee or Member of the Legislature to conduct a study or  
17 provide information that falls within the scope of his or her  
18 responsibilities and that concerns the administration of the  
19 government of the State of California, shall at once advise the  
20 Joint Legislative Budget Committee of the nature of the request  
21 without disclosing the name of the member or committee making  
22 the request.

23 The Legislative Analyst shall immediately undertake to  
24 provide the requesting committee or legislator with the service or  
25 information requested, and shall inform the committee or  
26 legislator of the approximate date when this information will be  
27 available. Should there be any material delay, he or she shall  
28 subsequently communicate this fact to the requester.

29 Neither the Committee on Rules of either house nor the Joint  
30 Rules Committee may assign any matter for study to the Joint  
31 Legislative Budget Committee or the Legislative Analyst without  
32 first obtaining from the Joint Legislative Budget Committee an  
33 estimate of the amount required to be expended by it to make the  
34 study.

35 Any concurrent, joint, Senate, or House resolution assigning a  
36 study to the Joint Legislative Budget Committee or to the  
37 Legislative Analyst shall be referred to the respective rules  
38 committees. Before the committees may act upon or assign the  
39 resolution, they shall obtain an estimate from the Joint



1 Legislative Budget Committee of the amount required to be  
2 expended to make the study.

3 Citizen Cost Impact Report

4 37.1. Any Member or committee of the Legislature may  
5 recommend that the Legislative Analyst prepare a citizen cost  
6 impact analysis on proposed legislation. However, the  
7 recommendation shall first be reviewed by the Committee on  
8 Rules of the house where the recommendation originated, and  
9 this committee shall make the final determination as to which  
10 bills shall be assigned for preparation of an impact analysis.

11 In selecting specific bills for assignment to the Legislative  
12 Analyst for preparation of citizen cost impact analyses, the  
13 Committee on Rules shall request the Legislative Analyst to  
14 present an estimate of his or her time and prospective costs for  
15 preparing the analyses. Only those bills that have a potential  
16 significant cost impact shall be assigned. Where necessary, the  
17 Committee on Rules shall provide funds to offset added costs  
18 incurred by the Legislative Analyst.

19 The citizen cost impact analyses shall include those economic  
20 effects that the Legislative Analyst deems significant and that he  
21 or she believes will result directly from the proposed legislation.  
22 Insofar as feasible, the economic effects considered by the  
23 Legislative Analyst shall include, but not be limited to, the  
24 following:

25 (a) The economic effect on the public generally.

26 (b) Any specific economic effect on persons or businesses in  
27 the case of legislation that is regulatory.

28 The Legislative Analyst shall submit the citizen cost impact  
29 analyses to the committee or committees when completed, and at  
30 the time or times designated by the Committee on Rules.

31 The Legislative Analyst shall submit from time to time, but at  
32 least once a year, a report to the Legislature on the trends and  
33 directions of the state's economy, and shall list the alternatives  
34 and make recommendations as to legislative actions that, in his or  
35 her judgment, will insure a sound and stable state economy.

36 Joint Legislative Audit Committee

37 37.3. The Joint Legislative Audit Committee is created  
38 pursuant to the Legislature's rulemaking authority under the  
39 California Constitution, and pursuant to Chapter 4 (commencing  
40 with Section 10500) of Part 2 of Division 2 of Title 2 of the

1 Government Code. The committee consists of seven Members of  
2 the Senate and seven Members of the Assembly, who shall be  
3 selected in the manner provided for in these rules.  
4 Notwithstanding any other provision of these rules, four  
5 members from each house constitute a quorum of the Joint  
6 Legislative Audit Committee and the number of votes necessary  
7 to take action on any matter. The Chairman or Chairwoman of  
8 the Joint Legislative Audit Committee, upon receiving a request  
9 by any Member of the Legislature or committee thereof for a  
10 copy of a report prepared or being prepared by the Bureau of  
11 State Audits, shall provide the member or committee with a copy  
12 of the report when it is, or has been, submitted by the Bureau of  
13 State Audits to the Joint Legislative Audit Committee.

#### 14 Study or Audits

15 37.4. (a) Notwithstanding any other provision of law, the Joint  
16 Legislative Audit Committee shall establish priorities and assign  
17 all work to be done by the Bureau of State Audits.

18 (b) Any bill requiring action by the Bureau of State Audits  
19 shall contain an appropriation for the cost of any study or audit.

20 (c) Any bill or concurrent, joint, Senate, or House resolution  
21 assigning a study to the Joint Legislative Audit Committee or to  
22 the Bureau of State Audits shall be referred to the respective  
23 rules committees. Before the committees may act upon or assign  
24 the bill or resolution, they shall obtain an estimate from the Joint  
25 Legislative Audit Committee of the amount required to be  
26 expended to make the study.

#### 27 Waiver

28 37.5. Subdivision (b) of Rule 37.4 may be waived by the Joint  
29 Legislative Audit Committee. The chairman or chairwoman of  
30 the committee shall notify the Secretary of the Senate, the Chief  
31 Clerk of the Assembly, and the Legislative Counsel in writing  
32 when subdivision (b) of Rule 37.4 has been waived. If the cost of  
33 a study or audit is less than one hundred thousand dollars  
34 (\$100,000), the chairman or chairwoman of the committee may  
35 exercise the committee's authority to waive subdivision (b) of  
36 Rule 37.4.

#### 37 Administrative Regulations

38 37.7. (a) Any Member of the Senate may request the Senate  
39 Committee on Rules, and any Member of the Assembly may  
40 request the Speaker of the Assembly, to direct a standing

1 committee or the Office of Research of his or her respective  
2 house to study any proposed or existing regulation or group of  
3 related regulations. Upon receipt of a request, the Senate  
4 Committee on Rules or the Speaker of the Assembly shall, after  
5 review, determine whether a study shall be made. In reviewing  
6 the request, the Senate Committee on Rules or the Speaker of the  
7 Assembly shall determine:

- 8 (1) The cost of making the study.
- 9 (2) The potential public benefit to be derived from the study.
- 10 (3) The scope of the study.
- 11 (b) The study may consider, among other relevant issues,  
12 whether the proposed or existing regulation:
  - 13 (1) Exceeds the agency's statutory authority.
  - 14 (2) Fails to conform to the legislative intent of the enabling  
15 statute.
  - 16 (3) Contradicts or duplicates other regulations adopted by  
17 federal, state, or local agencies.
  - 18 (4) Involves an excessive delegation of regulatory authority to  
19 a particular state agency.
  - 20 (5) Unfairly burdens particular elements of the public.
  - 21 (6) Imposes social or economic costs that outweigh its intended  
22 benefits to the public.
  - 23 (7) Imposes unreasonable penalties for violation.

24 The respective reviewing unit shall, in a timely manner,  
25 transmit its concerns, if any, to the Senate Committee on Rules or  
26 the Speaker of the Assembly, and the promulgating agency.

27 In the event that a state agency takes a regulatory action that  
28 the reviewing unit finds to be unacceptable, the unit shall file a  
29 report for publication in the Daily Journal of its respective house  
30 indicating the specific reasons why the regulatory action should  
31 not have been taken. The report may include a recommendation  
32 that the Legislature adopt a concurrent resolution requesting the  
33 state agency to reconsider its action or that the Legislature enact  
34 a statute to restrict the regulatory powers of the state agency  
35 taking the action.

#### 36 Joint Rules Committee

37 40. The Joint Rules Committee is hereby created. The  
38 committee has a continuing existence and may meet, act, and  
39 conduct its business during sessions of the Legislature or any  
40 recess thereof.

1 The committee consists of the members of the Assembly  
2 Committee on Rules, the Assembly Majority Floor Leader, the  
3 Assembly Minority Floor Leader, the Speaker of the Assembly,  
4 four members of the Senate Committee on Rules, and as many  
5 Members of the Senate as may be required to maintain equality  
6 in the number of Assembly Members and Senators on the  
7 committee, to be appointed by the Senate Committee on Rules.  
8 Vacancies occurring in the membership shall be filled by the  
9 appointing power.

10 The committee and its members have and may exercise all of  
11 the rights, duties, and powers conferred upon investigating  
12 committees and their members by the Joint Rules of the Senate  
13 and Assembly as they are adopted and amended from time to  
14 time, which provisions are incorporated herein and made  
15 applicable to this committee and its members.

16 The committee shall ascertain facts and make  
17 recommendations to the Legislature and to the houses thereof  
18 concerning:

19 (a) The relationship between the two houses and procedures  
20 calculated to expedite the affairs of the Legislature by improving  
21 that relationship.

22 (b) The legislative branch of the state government and any  
23 defects or deficiencies in the law governing that branch.

24 (c) Methods whereby legislation is proposed, considered, and  
25 acted upon.

26 (d) The operation of the Legislature and the committees  
27 thereof, and the means of coordinating the work thereof and  
28 avoiding duplication of effort.

29 (e) Aids to the Legislature.

30 (f) Information and statistics for the use of the Legislature, the  
31 respective houses thereof, and the members.

32 Any matter of business of either house, the transaction of  
33 which would affect the interests of the other house, may be  
34 referred to the committee for action if the Legislature is not in  
35 recess, and shall be referred to the committee for action if the  
36 Legislature is in recess.

37 The committee has the following additional powers and duties:

38 (a) To select a chairman or chairwoman from its membership.

39 The vice chairman or vice chairwoman of the committee shall be

1 one of the Senate members of the committee, to be selected by  
2 the Senate Committee on Rules.

3 (b) To allocate space in the State Capitol Building and all  
4 annexes and additions thereto as provided by law.

5 (c) To approve, as provided by law, the appearance of the  
6 Legislative Counsel in litigation.

7 (d) To contract with other agencies, public or private, for the  
8 rendition and affording of services, facilities, studies, and reports  
9 to the committee as the committee deems necessary to assist it to  
10 carry out the purposes for which it is created.

11 (e) To cooperate with and secure the cooperation of county,  
12 city, city and county, and other local law enforcement agencies in  
13 investigating any matter within the scope of this rule, and to  
14 direct the sheriff of any county to serve subpoenas, orders, and  
15 other process issued by the committee.

16 (f) To report its findings and recommendations, including  
17 recommendations for the needed revision of any and all laws and  
18 constitutional provisions relating to the Legislature, to the  
19 Legislature and to the people from time to time.

20 (g) The committee, and any subcommittee when so authorized  
21 by the committee, may meet and act without as well as within the  
22 State of California, and are authorized to leave the state in the  
23 performance of their duties.

24 (h) To expend funds as may be made available to it to carry out  
25 the functions and activities related to the legislative affairs of the  
26 Senate and Assembly.

27 (I) To appoint a chief administrative officer of the committee,  
28 who shall have duties relating to the administrative, fiscal, and  
29 business affairs of the committee as the committee shall  
30 prescribe. The committee may terminate the services of the chief  
31 administrative officer at any time.

32 (j) To employ persons as may be necessary to assist all other  
33 joint committees, except the Joint Legislative Budget Committee  
34 and the Joint Legislative Audit Committee, in the exercise of  
35 their powers and performance of their duties. In accordance with  
36 Rule 36.8, the committee shall govern and administer the  
37 expenditure of funds by other joint committees, requiring that the  
38 claims of joint committees be approved by the Joint Rules  
39 Committee or its designee. All expenses of the committee and of

1 all other joint committees may be paid from the Operating Funds  
2 of the Assembly and Senate.

3 (k) To appoint the chairmen or chairwomen of joint  
4 committees, as authorized by Rule 36.7.

5 (l) To do any and all other things necessary or convenient to  
6 enable it fully and adequately to exercise its powers, perform its  
7 duties, and accomplish the objects and purposes of this rule.

8 The members of the Joint Rules Committee from the Senate  
9 may meet separately as a unit, and the members of the Joint  
10 Rules Committee from the Assembly may meet separately as a  
11 unit, and consider any action that is required to be taken by the  
12 Joint Rules Committee. If the majority of members of the Joint  
13 Rules Committee of each house at the separate meetings vote in  
14 favor of that action, the action shall be deemed to be action taken  
15 by the Joint Rules Committee.

16 The Joint Rules Committee shall meet not less than biweekly  
17 during a session of the Legislature, other than during a joint  
18 recess, at a regularly scheduled time and place. If the full  
19 committee fails to so meet, the members of the committee from  
20 the Senate shall meet separately as a unit and the members of the  
21 committee from the Assembly shall meet separately as a unit  
22 within five days of the regularly scheduled meeting date.

23 The committee succeeds to, and is vested with, all of the  
24 powers and duties of the Joint Committee on Legislative  
25 Organization, the State Capitol Committee, the Joint Committee  
26 on Interhouse Cooperation, the Joint Legislative Committee for  
27 School Visitations, and the Joint Standing Committee on the  
28 Joint Rules of the Senate and the Assembly.

29 Review of Administrative Regulations

30 40.1. The Joint Rules Committee, with regard to joint  
31 committees, and the respective rules committee of each house,  
32 with regard to standing and select committees of the house, shall  
33 approve any request for a priority review made by a committee  
34 pursuant to Section 11349.7 of the Government Code and shall  
35 submit approved requests to the Office of Administrative Law.  
36 The Joint Rules Committee or the respective rules committee,  
37 and the committee initiating the request, shall each receive a  
38 copy of the priority review.

39 Subcommittee on Legislative Space and Facilities

1 40.3. (a) A subcommittee of the Joint Rules Committee is  
2 hereby created, to be known as the Subcommittee on Legislative  
3 Space and Facilities. The subcommittee consists of three  
4 Members of the Senate and three Members of the Assembly,  
5 appointed by the Chairman or Chairwoman of the Joint Rules  
6 Committee, and the chairman or chairwoman of the fiscal  
7 committee of each house who shall have full voting rights on the  
8 subcommittee. The chairman or chairwoman of the  
9 subcommittee shall be appointed by the members thereof. For  
10 purposes of this subcommittee, the chairmen or chairwomen of  
11 the fiscal committees are ex officio members of the Joint Rules  
12 Committee, but do not have voting rights on that committee, nor  
13 may they be counted in determining a quorum. The  
14 subcommittee shall consider the housing of the Legislature and  
15 legislative facilities.

16 (b) The subcommittee and its members have and may exercise  
17 all of the rights, duties, and powers conferred upon investigating  
18 committees and their members by the Joint Rules of the Senate  
19 and Assembly as they are adopted and amended from time to  
20 time, which provisions are incorporated herein and made  
21 applicable to this subcommittee and its members.

22 (c) The subcommittee has the following additional powers and  
23 duties:

24 (1) To contract with other agencies, public or private, for the  
25 rendition and affording of services, facilities, studies, and reports  
26 to the subcommittee as the committee deems necessary to assist  
27 it to carry out the purposes for which it is created.

28 (2) To cooperate with and secure the cooperation of county,  
29 city, city and county, and other local law enforcement agencies in  
30 investigating any matter within the scope of this rule, and to  
31 direct the sheriff of any county to serve subpoenas, orders, and  
32 other process issued by the subcommittee.

33 (3) To report its findings and recommendations to the  
34 Legislature and to the people from time to time.

35 (4) To do any and all other things necessary or convenient to  
36 enable it fully and adequately to exercise its powers, perform its  
37 duties, and accomplish the objects and purposes of this rule.

38 (d) The subcommittee is authorized to leave the State of  
39 California in the performance of its duties.

40 Claims for Workers' Compensation

1 41. The Chairman or Chairwoman of the Committee on Rules  
2 of each house, or a designated representative, shall sign any  
3 required worker's compensation report regarding injuries or  
4 death arising out of and within the course of employment  
5 suffered by any member, officer, or employee of the house, or  
6 any employee of a standing or investigating committee thereof.  
7 In the case of a joint committee, the Chairman or Chairwoman of  
8 the Committee on Rules of either house, or a designated  
9 representative, may sign any report with respect to a member or  
10 employee of a joint committee.

11 Information Concerning Committees

12 42. The Committee on Rules of each house shall provide for a  
13 continuous cumulation of information concerning the  
14 membership, organization, meetings, and studies of legislative  
15 investigating committees. Each Committee on Rules shall be  
16 responsible for information concerning the investigating  
17 committees of its own house, and concerning joint investigating  
18 committees under a chairman or chairwoman who is a member of  
19 that house. To the extent possible, each Committee on Rules  
20 shall seek to insure that the investigating committees for which it  
21 has responsibility under this rule have organized, including the  
22 organization of any subcommittees, and have had all topics for  
23 study assigned to them within a reasonable period of time.

24 The information thus cumulated shall be made available to the  
25 public by the Committee on Rules of each house and shall be  
26 published periodically under their joint direction.

27 Joint Committees

28 43. Any concurrent resolution creating a joint committee of the  
29 Legislature and any concurrent resolution allocating moneys  
30 from the Operating Funds of the Assembly and Senate to the  
31 committee shall be referred to the Committee on Rules of the  
32 respective houses.

33 Conflict of Interest

34 44. (a) A Member of the Legislature may not, while serving,  
35 have any interest, financial or otherwise, direct or indirect,  
36 engage in any business or transaction or professional activity, or  
37 incur any obligation of any nature, that is in substantial conflict  
38 with the proper discharge of his or her duties in the public  
39 interest and of his or her responsibilities as prescribed by the  
40 laws of this state.



1 (b) A Member of the Legislature may not, during the term for  
2 which he or she was elected:

3 (1) Accept other employment that he or she has reason to  
4 believe will either impair his or her independence of judgment as  
5 to his or her official duties, or require him or her, or induce him  
6 or her, to disclose confidential information acquired by him or  
7 her in the course of and by reason of his or her official duties.

8 (2) Willfully and knowingly disclose, for pecuniary gain, to  
9 any other person, confidential information acquired by him or her  
10 in the course of and by reason of his or her official duties, or use  
11 the information for the purpose of pecuniary gain.

12 (3) Accept or agree to accept, or be in partnership with any  
13 person who accepts or agrees to accept, any employment, fee, or  
14 other thing of value, or portion thereof, in consideration of his or  
15 her appearance, agreeing to appear, or taking of any other action  
16 on behalf of another person regarding a licensing or regulatory  
17 matter, before any state board or agency that is established by  
18 law for the primary purpose of licensing or regulating the  
19 professional activity of persons licensed, pursuant to state law.

20 This rule does not prohibit a member who is an attorney at law  
21 from practicing in that capacity before the Workers'  
22 Compensation Appeals Board or the Commissioner of  
23 Corporations, and receiving compensation therefor, or from  
24 practicing for compensation before any state board or agency in  
25 connection with, or in any matter related to, any case, action, or  
26 proceeding filed and pending in any state or federal court. This  
27 rule does not prohibit a member from making inquiry for  
28 information on behalf of a constituent before a state board or  
29 agency, if no fee or reward is given or promised in consequence  
30 thereof. The prohibition contained in this rule does not apply to a  
31 partnership in which a Member of the Legislature is a member if  
32 the Member of the Legislature does not share directly or  
33 indirectly in the fee resulting from the transaction, nor does it  
34 apply in connection with any matter pending before any state  
35 board or agency on the operative date of this rule if the affected  
36 Member of the Legislature is attorney of record or representative  
37 in the matter prior to the operative date.

38 (4) Receive or agree to receive, directly or indirectly, any  
39 compensation, reward, or gift from any source except the State of  
40 California for any service, advice, assistance, or other matter

1 related to the legislative process, except fees for speeches or  
2 published works on legislative subjects and except, in connection  
3 therewith, the reimbursement of expenses for actual expenditures  
4 for travel and reasonable subsistence for which no payment or  
5 reimbursement is made by the State of California.

6 (5) Participate, by voting or any other action, on the floor of  
7 either house, or in committee or elsewhere, in the enactment or  
8 defeat of legislation in which he or she has a personal interest,  
9 except as follows:

10 (I) If, on the vote for final passage, by the house of which he or  
11 she is a member, of the legislation in which he or she has a  
12 personal interest, he or she first files a statement (which shall be  
13 entered verbatim in the Daily Journal) stating in substance that he  
14 or she has a personal interest in the legislation to be voted on and  
15 that, notwithstanding that interest, he or she is able to cast a fair  
16 and objective vote on the legislation, he or she may cast his or  
17 her vote without violating any provision of this rule.

18 (ii) If the member believes that, because of his or her personal  
19 interest, he or she should abstain from participating in the vote on  
20 the legislation, he or she shall so advise the presiding officer  
21 prior to the commencement of the vote and shall be excused from  
22 voting on the legislation without any entry in the Daily Journal of  
23 the fact of his or her personal interest. In the event that a rule of  
24 the house requiring that each member who is present vote aye or  
25 nay is invoked, the presiding officer shall order the member  
26 excused from compliance and shall order entered in the Daily  
27 Journal a simple statement that the member was excused from  
28 voting on the legislation pursuant to law.

29 (c) A person subject to this rule has an interest that is in  
30 substantial conflict with the proper discharge of his or her duties  
31 in the public interest and of his or her responsibilities as  
32 prescribed by the laws of this state, or a personal interest, arising  
33 from any situation, within the scope of this rule, if he or she has  
34 reason to believe or expect that he or she will derive a direct  
35 monetary gain or suffer a direct monetary loss, as the case may  
36 be, by reason of his or her official activity. He or she does not  
37 have an interest that is in substantial conflict with the proper  
38 discharge of his or her duties in the public interest and of his or  
39 her responsibilities as prescribed by the laws of this state, or a  
40 personal interest, arising from any situation, within the scope of

1 this rule, if any benefit or detriment accrues to him or her as a  
2 member of a business, profession, occupation, or group to no  
3 greater extent than any other member of the business, profession,  
4 occupation, or group.

5 (d) A person who is subject to this rule may not be deemed to  
6 be engaged in any activity that is in substantial conflict with the  
7 proper discharge of his or her duties in the public interest and of  
8 his or her responsibilities as prescribed by the laws of this state,  
9 or to have a personal interest, arising from any situation, within  
10 the scope of this rule, solely by reason of any of the following:

11 (1) His or her relationship to any potential beneficiary of any  
12 situation is one that is defined as a remote interest by Section  
13 1091 of the Government Code or is otherwise not deemed to be a  
14 prohibited interest under Section 1091.1 or 1091.5 of the  
15 Government Code.

16 (2) Receipt of a campaign contribution that is regulated,  
17 received, reported, and accounted for pursuant to Chapter 4  
18 (commencing with Section 84100) of Title 9 of the Government  
19 Code, so long as the contribution is not made on the  
20 understanding or agreement, in violation of law, that the person's  
21 vote, opinion, judgment, or action will be influenced thereby.

22 (e) The enumeration in this rule of specific situations or  
23 conditions that are deemed not to result in substantial conflict  
24 with the proper discharge of the duties and responsibilities of a  
25 legislator or legislative employee, or in a personal interest, may  
26 not be construed as exclusive.

27 The Legislature, in adopting this rule, recognizes that Members  
28 of the Legislature and legislative employees may need to engage  
29 in employment, professional, or business activities other than  
30 legislative activities in order to maintain a continuity of  
31 professional or business activity, or may need to maintain  
32 investments, which activities or investments do not conflict with  
33 specific provisions of this rule. However, in construing and  
34 administering this rule, weight should be given to any  
35 coincidence of income, employment, investment, or other profit  
36 from sources that may be identified with the interests represented  
37 by those sources that are seeking action of any character on  
38 matters then pending before the Legislature.

1 (f) An employee of either house of the Legislature may not,  
2 during the time he or she is so employed, commit any act or  
3 engage in any activity prohibited by any part of this rule.

4 (g) A person may not induce or seek to induce any Member of  
5 the Legislature to violate any part of this rule.

6 (h) A violation of any part of this rule is punishable as  
7 provided in Section 8926 of the Government Code.

#### 8 Ethics Committees

9 45. The Senate Committee on Legislative Ethics and the  
10 Assembly Legislative Ethics Committee, respectively, shall  
11 receive complaints concerning members of their respective  
12 houses, and may investigate and make findings and  
13 recommendations concerning violations by members of their  
14 respective houses of Article 2 (commencing with Section 8920)  
15 of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government  
16 Code. Each house shall adopt rules governing the establishment  
17 and procedures of the committee of that house.

#### 18 Designating Legislative Sessions

19 50. Regular sessions shall be identified with the odd-numbered  
20 year subsequent to each general election, followed by a hyphen,  
21 and then the last two digits of the following even-numbered year.  
22 For example: 2003–04 Regular Session.

#### 23 Designating Extraordinary Sessions

24 50.3. All extraordinary sessions shall be designated in  
25 numerical order by the session in which convened.

#### 26 Days and Dates

27 50.5. (a) As used in these rules, “day” means a calendar day,  
28 unless otherwise specified.

29 (b) When the date of a deadline, recess requirement, or  
30 circumstance falls on a Saturday, Sunday, or Monday that is a  
31 holiday, the date shall be deemed to refer to the preceding Friday.  
32 When the date falls on a holiday on a weekday other than a  
33 Monday, the date shall be deemed to refer to the preceding day.

#### 34 Legislative Calendar

35 51. (a) The Legislature shall observe the following calendar  
36 during the first year of the regular session:

37 (1) Organizational Recess—The Legislature shall meet on the  
38 first Monday in December following the general election to  
39 organize. Thereafter, each house shall be in recess from the time  
40 it determines until the first Monday in January, except when the

1 first Monday is January 1 or January 1 is a Sunday, in which  
2 case, the following Wednesday.

3 (2) Spring Recess—The Legislature shall be in recess from the  
4 10th day prior to Easter until the Monday after Easter.

5 (3) Summer Recess—The Legislature shall be in recess from  
6 July 15 until August 15. This recess shall not commence until the  
7 Budget Bill is passed.

8 (4) Interim Study Recess—The Legislature shall be in recess  
9 from September 9 until the first Monday in January, except when  
10 the first Monday is January 1 or January 1 is a Sunday, in which  
11 case, the following Wednesday.

12 (b) The Legislature shall observe the following calendar for the  
13 remainder of the legislative session:

14 (1) Spring Recess—The Legislature shall be in recess from the  
15 10th day prior to Easter until the Monday after Easter.

16 (2) Summer Recess—The Legislature shall be in recess from  
17 July 7 until August 7. This recess may not commence until the  
18 Budget Bill is passed.

19 (3) Final Recess—The Legislature shall be in recess on  
20 September 1 until adjournment sine die on November 30.

21 (c) Recesses shall be from the hour of adjournment on the day  
22 specified, reconvening at the time designated by the respective  
23 houses.

24 (d) The recesses specified by this rule shall be designated as  
25 joint recesses.

#### 26 Recall From Recess

27 52. Notwithstanding the power of the Governor to call a special  
28 session, the Legislature may be recalled from joint recess and  
29 reconvene in regular session by any of the following means:

30 (a) It may be recalled by joint proclamation, which shall be  
31 entered in the Daily Journal, of the Senate Committee on Rules  
32 and the Speaker of the Assembly or, in his or her absence from  
33 the state, the Assembly Committee on Rules.

34 (b) Ten or more Members of the Legislature may present a  
35 request for recall from joint recess to the Chief Clerk of the  
36 Assembly and the Secretary of the Senate. The request  
37 immediately shall be printed in the Daily Journal. Within 10 days  
38 thereafter, the Speaker of the Assembly or, if the Speaker is  
39 absent from the state, the Assembly Committee on Rules, and the  
40 Senate Committee on Rules shall act upon the request. If they

1 concur in desiring to recall the Legislature from joint recess, they  
2 shall issue their joint proclamation to that effect entered in the  
3 Daily Journal no later than 20 days after publication of the  
4 request in the Daily Journal.

5 (c) If either or both of the parties specified in subdivision (b)  
6 does not concur, 10 or more Members of the Legislature may  
7 request the Chief Clerk of the Assembly or the Secretary of the  
8 Senate to petition the membership of the respective house. The  
9 petition shall be entered in the Daily Journal and shall contain a  
10 specified reconvening date commencing not later than 20 days  
11 after the date of the petition. If two-thirds of the members of the  
12 house or each of the two houses concur, the Legislature shall  
13 reconvene on the date specified. The necessary concurrences  
14 must be received at least 10 days prior to the date specified for  
15 reconvening.

#### 16 Procedure on Suspending Rules by Single House

17 53. Whenever these rules authorize suspension of the Joint  
18 Rules as to a particular bill by action of a single house after  
19 approval by the Committee on Rules of that house, the following  
20 procedure shall be followed:

21 (a) A written request to suspend the joint rule shall be filed  
22 with the Chief Clerk of the Assembly or the Secretary of the  
23 Senate, as the case may be, and shall be transmitted to the  
24 Committee on Rules of the appropriate house.

25 (b) The Assembly Committee on Rules or the Senate  
26 Committee on Rules, as the case may be, shall determine whether  
27 there exists an urgent need for the suspension of the joint rule  
28 with regard to the bill.

29 (c) If the appropriate rules committee recommends that the  
30 suspension be permitted, the member may offer a resolution,  
31 without further reference thereof to committee, granting  
32 permission to suspend the joint rule. The adoption of the  
33 resolution granting permission shall require an affirmative  
34 recorded vote of the elected members of the house in which the  
35 request is made.

#### 36 Introduction of Bills

37 54. (a) A bill may not be introduced in the first year of the  
38 regular session after February 18 and a bill may not be  
39 introduced in the second year of the regular session after  
40 February 24. These deadlines do not apply to constitutional

1 amendments, committee bills introduced pursuant to Assembly  
2 Rule 47 or Senate Rule 23, bills introduced in the Assembly with  
3 the permission of the Speaker of the Assembly, or bills  
4 introduced in the Senate with the permission of the Senate  
5 Committee on Rules. Subject to these deadlines, a bill may be  
6 introduced at any time except when the houses are in joint  
7 summer, interim, or final recess. Each house may provide for  
8 introduction of bills during a recess other than a joint recess.  
9 Bills shall be numbered consecutively during the regular session.

10 (b) The Desks of the Senate and Assembly shall remain open  
11 during a joint recess, other than a joint spring, summer, interim,  
12 or final recess, for the introduction of bills during business hours  
13 on Monday through Friday, inclusive, except holidays. Bills  
14 received at the Senate Desk during these periods shall be  
15 numbered and printed. After printing, the bills shall be delivered  
16 to the Secretary of the Senate and referred by the Senate  
17 Committee on Rules to a standing committee. Bills received at  
18 the Assembly Desk during these periods shall be numbered,  
19 printed, and referred to a committee by the Assembly Committee  
20 on Rules. After printing, the bills shall be delivered to the Chief  
21 Clerk of the Assembly. On the reconvening of each house, the  
22 bills shall be read the first time, and shall be delivered to the  
23 committee to which they were referred.

24 (c) A member may not author a bill during a session that would  
25 have substantially the same effect as a bill he or she previously  
26 authored during that session. This restriction does not apply in  
27 cases where the previously authored bill was vetoed by the  
28 Governor or its provisions were “chaptered out” by a later  
29 chaptered bill pursuant to Section 9605 of the Government Code.  
30 An objection based on this restriction may be raised only while  
31 the bill is being considered by the house in which it is introduced.  
32 The objection shall be referred to the Committee on Rules of the  
33 house for a determination. The bill shall remain on the Daily File  
34 or with a committee, as the case may be, until a determination is  
35 made. If, upon consideration of the objection, the Committee on  
36 Rules determines that the bill objected to would have  
37 substantially the same effect as another bill previously authored  
38 during the session by the author, the bill objected to shall be  
39 stricken from the Daily File or returned to the desk by the  
40 committee, as the case may be, and may not be acted upon during

1 the remainder of the session. If the Committee on Rules  
2 determines that the bill objected to would not have substantially  
3 the same effect as a bill previously authored during the session  
4 by the author, the bill may thereafter be acted upon by the  
5 committee or the house, as the case may be. The Committee on  
6 Rules may obtain assistance as it may desire from the Legislative  
7 Counsel as to the similarity of a bill or amendments to a prior  
8 bill.

9 This joint rule may be suspended by approval of the  
10 Committee on Rules and three-fourths vote of the membership of  
11 the house.

12 (d) During a joint recess, the Chief Clerk of the Assembly or  
13 Secretary of the Senate shall order the preparation of preprint  
14 bills when so ordered by any of the following:

15 (1) The Speaker of the Assembly.

16 (2) The Committee on Rules of the respective house.

17 (3) A committee, with respect to bills within the subject matter  
18 jurisdiction of the committee.

19 Preprint bills shall be designated and shall be printed in the  
20 order received and numbered in the order printed. To facilitate  
21 subsequent amendment, a preprint bill shall be so prepared that,  
22 when introduced as a bill, the page and the line numbers will not  
23 change. The Chief Clerk of the Assembly and Secretary of the  
24 Senate shall publish a list periodically of preprint bills showing  
25 the preprint bill number, the title, and the Legislative Counsel's  
26 Digest. The Speaker of the Assembly and Senate Committee on  
27 Rules may refer any preprint bill to committee for study.

#### 28 30-Day Waiting Period

29 55. A bill other than the Budget Bill may not be heard or acted  
30 upon by committee or either house until the bill has been in print  
31 for 30 days. The date a bill is returned from the printer shall be  
32 entered in the Daily History. This rule may be suspended  
33 concurrently with the suspension of the requirement of Section 8  
34 of Article IV of the Constitution or, if that period has expired,  
35 this rule may be suspended by approval of the Committee on  
36 Rules and two-thirds vote of the house in which the bill is being  
37 considered.

#### 38 Return of Bills

39 56. Bills introduced in the first year of the regular session and  
40 passed by the house of origin on or before the January 31st



1 constitutional deadline are “carryover bills.” Immediately after  
2 January 31, bills introduced in the first year of the regular session  
3 that do not become “carryover bills” shall be returned to the  
4 Chief Clerk of the Assembly or Secretary of the Senate,  
5 respectively. Notwithstanding Rule 4, as used in this rule “bills”  
6 does not include constitutional amendments.

7                                   Appropriation Bills

8     57. Appropriation bills that may not be sent to the Governor  
9 shall be held, after enrollment, by the Chief Clerk of the  
10 Assembly or Secretary of the Senate, respectively. The bills shall  
11 be sent to the Governor immediately after the Budget Bill has  
12 been passed.

13                                   Urgency Clauses

14     58. An amendment to add a section to a bill to provide that the  
15 act shall take effect immediately as an urgency statute may not be  
16 adopted unless the author of the amendment has first secured the  
17 approval of the Committee on Rules of the house in which the  
18 amendments are offered.

19                                   Veto

20     58.5. The Legislature may consider a Governor’s veto for only  
21 60 days, not counting days when the Legislature is in joint recess.

22                                   Publications

23     59. During periods of joint recess, weekly, if necessary, the  
24 following documents shall be published: Daily Files, Histories,  
25 and Daily Journals.

26                                   Committee Hearings

27     60. (a) A standing committee or subcommittee thereof may not  
28 take action on a bill at any hearing held outside of the State  
29 Capitol.

30     (b) A committee may hear the subject matter of a bill or  
31 convene for an informational hearing during a period of recess.  
32 Four days’ notice in the Daily File is required prior to the  
33 hearing.

34     (c) A bill may not be acted upon by a committee during a joint  
35 recess.

36                                   Deadlines

37     61. The deadlines set forth in this rule shall be observed by the  
38 Senate and Assembly. After each deadline, the Secretary of the  
39 Senate and the Chief Clerk of the Assembly may not accept

- 1 committee reports from their respective committees except as  
2 otherwise provided in this rule:
- 3 (a) Odd-numbered year:
- 4 (1) Feb. 18—Last day for bills to be introduced.
- 5 (2) Apr. 22—Last day for policy committees to hear and report  
6 to fiscal committees fiscal bills introduced in their house.
- 7 (3) Apr. 29—Last day for policy committees to hear and report  
8 to the floor nonfiscal bills introduced in their house.
- 9 (4) May 13—Last day for policy committees to meet prior to  
10 May 31.
- 11 (5) May 20—Last day for fiscal committees to hear and report  
12 to the floor bills introduced in their house.
- 13 (6) May 20—Last day for fiscal committees to meet prior to  
14 May 31.
- 15 (7) May 23--May 27—Floor session only. No committee may  
16 meet for any purpose.
- 17 (8) May 27—Last day for each house to pass bills introduced  
18 in that house.
- 19 (9) May 31—Committee meetings may resume.
- 20 (10) July 1—No policy committee may meet until the Budget  
21 Bill is passed.
- 22 (11) July 15—Last day for policy committees to meet and  
23 report bills.
- 24 (12) Aug. 26—Last day for fiscal committees to meet and  
25 report bills.
- 26 (13) Aug. 29--Sept. 9—Floor session only. No committee may  
27 meet for any purpose.
- 28 (14) Sept. 2—Last day to amend on the floor.
- 29 (15) Sept. 9—Last day for each house to pass bills.
- 30 (b) Even-numbered year:
- 31 (1) Jan. 13—Last day for policy committees to hear and report  
32 to fiscal committees fiscal bills introduced in their house in the  
33 odd-numbered year.
- 34 (2) Jan. 20—Last day for any committee to hear and report to  
35 the floor bills introduced in that house in the odd-numbered year.
- 36 (3) Jan. 31—Last day for each house to pass bills introduced in  
37 that house in the odd-numbered year.
- 38 (4) Feb. 24—Last day for bills to be introduced.
- 39 (5) April 28—Last day for policy committees to hear and re-  
40 port to fiscal committees fiscal bills introduced in their house.

1 (6) May 12—Last day for policy committees to hear and report  
2 to the floor nonfiscal bills introduced in their house.

3 (7) May 19—Last day for policy committees to meet prior to  
4 June 5.

5 (8) May 26—Last day for fiscal committees to hear and report  
6 to the floor bills introduced in their house.

7 (9) May 26—Last day for fiscal committees to meet prior to  
8 June 5.

9 (10) May 30--June 2—Floor session only. No committee may  
10 meet for any purpose.

11 (11) June 2—Last day for each house to pass bills introduced  
12 in that house.

13 (12) June 5—Committee meetings may resume.

14 (13) June 30—Last day for policy committees to meet and  
15 report bills.

16 (14) Aug. 18—Last day for fiscal committees to meet and re-  
17 port bills.

18 (15) Aug. 21--Aug. 31—Floor session only. No committee  
19 may meet for any purpose.

20 (16) Aug. 25—Last day to amend on floor.

21 (17) Aug. 31—Last day for each house to pass bills.

22 (c) If a bill is acted upon in committee before the relevant  
23 deadline, and the committee votes to report the bill out with  
24 amendments that have not at the time of the vote been prepared  
25 by the Legislative Counsel, the Secretary of the Senate and the  
26 Chief Clerk of the Assembly may subsequently receive a report  
27 recommending the bill for passage or for rereferral together with  
28 the amendments at any time within two legislative days after the  
29 deadline.

30 (d) Notwithstanding subdivisions (a) and (b), a policy  
31 committee may report a bill to a fiscal committee on or before  
32 the relevant deadline for reporting nonfiscal bills to the floor if,  
33 after the policy committee deadline for reporting the bill to fiscal  
34 committee, the Legislative Counsel's Digest is changed to  
35 indicate reference to fiscal committee.

36 (e) Any bill in the house of origin that is not acted upon during  
37 the odd-numbered year as a result of the deadlines imposed in  
38 subdivision (a) may be acted upon when the Legislature  
39 reconvenes after the interim study joint recess, or at any time the  
40 Legislature is recalled from the interim study joint recess.

(f) The deadlines imposed by this rule do not apply to the rules committees of the respective houses.

(g) The deadlines imposed by this rule do not apply in instances where a bill is referred to committee under Rule 26.5.

(h) The deadlines imposed by this rule do not apply in instances where a bill is referred to a committee under Assembly Rule 77.2.

(I) (1) Notwithstanding subdivisions (a) and (b), a policy committee or fiscal committee may meet for the purpose of hearing and reporting a constitutional amendment, or a bill that would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the California Constitution, at any time other than those periods when no committee may meet for any purpose.

(2) Notwithstanding subdivisions (a) and (b), either house may meet for the purpose of considering and passing a constitutional amendment, or a bill that would go into immediate effect pursuant to subdivision (c) of Section 8 of Article IV of the California Constitution, at any time during the session.

(j) This rule may be suspended as to any particular bill by approval of the Committee on Rules and two-thirds vote of the membership of the house.

#### Committee Procedure

62. (a) Notice of a hearing on a bill by the committee of first reference in each house, or notice of an informational hearing, shall be published in the Daily File at least four days prior to the hearing. Otherwise, notice shall be published in the Daily File two days prior to the hearing. That notice requirement may be waived by a majority vote of the house in which the bill is being considered. A bill may be set for hearing in a committee only three times. A bill is “set,” for purposes of this subdivision, whenever notice of the hearing has been published in the Daily File for one or more days. If a bill is set for hearing, and the committee, on its own initiation and not the author’s, postpones the hearing on the bill or adjourns the hearing while testimony is being taken, that hearing is not counted as one of the three times a bill may be set. After hearing the bill, the committee may vote on the bill. If the hearing notice in the Daily File specifically indicates that “testimony only” will be taken, that hearing is not counted as one of the three times a bill may be set. A committee

1 may not vote on a bill so noticed until it has been heard in  
2 accordance with this rule. After a committee has voted on a bill,  
3 reconsideration may be granted only one time. Reconsideration  
4 may be granted within 15 legislative days or prior to the interim  
5 study joint recess, whichever first occurs. A vote on  
6 reconsideration may not be taken without the same notice  
7 required to set a bill unless that vote is taken at the same meeting  
8 at which the vote to be reconsidered was taken, and the author is  
9 present. When a bill fails to get the necessary votes to pass it out  
10 of committee, or upon failure to receive reconsideration, it shall  
11 be returned to the Chief Clerk of the Assembly or Secretary of  
12 the Senate of the house of the committee and may not be  
13 considered further during the session.

14 This subdivision may be suspended with respect to a particular  
15 bill by approval of the Committee on Rules and two-thirds vote  
16 of the members of the house.

17 (b) If the committee adopts amendments other than those  
18 offered by the author and orders the bill reprinted prior to its  
19 further consideration, the hearing shall not be the final time a bill  
20 may be set under subdivision (a) of this rule.

21 (c) When a standing committee takes action on a bill, the vote  
22 shall be by rollcall vote only. All rollcall votes taken by a  
23 standing committee shall be recorded by the committee secretary  
24 on forms provided by the Chief Clerk of the Assembly and the  
25 Secretary of the Senate. The chairman or chairwoman of each  
26 standing committee shall promptly transmit a copy of the record  
27 of the rollcall votes to the Chief Clerk of the Assembly or the  
28 Secretary of the Senate, respectively, who shall cause the votes to  
29 be published as prescribed by each house.

30 This subdivision also applies to action of a committee on a  
31 subcommittee report. The rules of each house shall prescribe the  
32 procedure as to rollcall votes on amendments.

33 Any committee may, with the unanimous consent of the  
34 members present, substitute a rollcall from a prior bill, provided  
35 that the members whose votes are substituted are present at the  
36 time of the substitution.

37 A bill may not be passed out by a committee without a quorum  
38 being present.

39 This subdivision does not apply to:

1 (1) Procedural motions that do not have the effect of disposing  
2 of a bill.

3 (2) Withdrawal of a bill from a committee calendar at the  
4 request of an author.

5 (3) Return of a bill to the house where the bill has not been  
6 voted on by the committee.

7 (4) The assignment of a bill to committee.

8 (d) The chairman or chairwoman of the committee hearing a  
9 bill may, at any time, order a call of the committee. Upon a  
10 request by any member of a committee or the author in person,  
11 the chairman or chairwoman shall order the call.

12 In the absence of a quorum, a majority of the members present  
13 may order a quorum call of the committee and compel the  
14 attendance of absentees. The chairman or chairwoman shall send  
15 the Sergeant at Arms for those members who are absent and not  
16 excused by their respective house.

17 When a call of a committee is ordered by the chairman or  
18 chairwoman with respect to a particular bill, he or she shall send  
19 the Sergeant at Arms, or any other person to be appointed for that  
20 purpose, for those members who have not voted on that particular  
21 bill and are not excused.

22 A quorum call or a call of the committee with respect to a  
23 particular bill may be dispensed with by the chairman or  
24 chairwoman without objection by any member of the committee,  
25 or by a majority of the members present.

26 If a motion is adopted to adjourn the committee while the  
27 committee is operating under a call, the call shall be dispensed  
28 with and any pending vote announced.

29 The committee secretary shall record the votes of members  
30 answering a call. The rules of each house may prescribe  
31 additional procedures for a call of a committee.

#### 32 Redistricting Bills

33 62.5. This rule applies only to bills affecting the boundaries of  
34 legislative, congressional, or State Board of Equalization  
35 districts.

36 (a) Except as specifically provided in this rule, Rules 28, 28.1,  
37 29, 29.5, 30, 30.5, 30.7, 61 (except for paragraph (12) of  
38 subdivision (a), and paragraph (15) of subdivision (b), of Rule  
39 61), and 62 do not apply to bills affecting the boundaries of

1 legislative, congressional, or State Board of Equalization  
2 districts.

3 (b) If the Senate (in the case of a Senate bill) or the Assembly  
4 (in the case of an Assembly bill) refuses to concur in  
5 amendments to a bill made by the other house, a committee on  
6 conference shall be appointed. The Speaker of the Assembly and  
7 the Senate Committee on Rules shall each appoint a committee  
8 on conference of three members, consisting of two members of  
9 the majority party and one member not of the majority party. The  
10 Secretary of the Senate and the Chief Clerk of the Assembly shall  
11 immediately notify the other house of the action taken.

12 (c) When a bill affecting the boundaries of legislative,  
13 congressional, or State Board of Equalization districts has been  
14 referred to a committee on conference, the chairman or  
15 chairwoman of the committee on conference shall immediately  
16 request the Senate Committee on Elections and Reapportionment  
17 and the Assembly Committee on Elections, Reapportionment,  
18 and Constitutional Amendments to hold a public hearing on the  
19 bill. The committee on conference shall also hold a public  
20 hearing on the bill. The hearings of the policy committees and  
21 the committee on conference may be noticed and held  
22 concurrently.

23 (d) If either or both of the policy committees hold a public  
24 hearing on a bill pursuant to the request of the chairman or  
25 chairwoman of the committee on conference, the policy  
26 committees may consider amendments to the bill, and may make  
27 recommendations on amendments to the committee on  
28 conference. A policy committee recommendation for an  
29 amendment may be adopted only by a rollcall vote of the  
30 members of the policy committee.

31 (e) All proposed reports of a committee on conference, all  
32 proposed amendments to a proposed report of a committee on  
33 conference, and all proposed amendments presented to a policy  
34 committee shall be accompanied by appropriate maps. A  
35 committee vote may not be taken on any proposed report of a  
36 committee on conference, any proposed amendment to a  
37 proposed report of a committee on conference, or any proposed  
38 amendment presented to a policy committee unless the proposed  
39 report or proposed amendment, with accompanying maps, has  
40 been available to the public for at least 24 hours.

1 Notwithstanding subdivision (h), district boundaries contained in  
2 any proposed report or any proposed amendment may not be  
3 required to be prepared or approved as to form by Legislative  
4 Counsel if the accompanying maps adequately reflect the district  
5 boundaries.

6 (f) All hearings of the policy committees and the committee on  
7 conference shall be open and readily accessible to the public, and  
8 shall be noticed in the Daily File for not less than two calendar  
9 days.

10 (g) The provisions of subdivision (e) prohibiting a committee  
11 vote on any proposed report of a committee on conference, any  
12 proposed amendment to a proposed report of a committee on  
13 conference, or any proposed amendment presented to a policy  
14 committee unless the amendment, accompanied by appropriate  
15 maps, has been available to the public for at least 24 hours do not  
16 apply in any of the following situations:

17 (1) The amendment proposed to a policy committee or the  
18 committee on conference does not change any district  
19 boundaries.

20 (2) The amendment proposed to a policy committee or the  
21 committee on conference is required to correct a technical error  
22 in the bill, and the proposed amendment would shift no more  
23 than 1 percent of the population of any district to any other  
24 district or districts.

25 (3) The amendment is a policy committee or committee on  
26 conference amendment that is proposed in response to  
27 amendments that have been proposed to the committee.

28 (h) Except as provided in subdivision (I), a vote may not be  
29 taken in either house on any bill or any report of the committee  
30 on conference on that bill unless the bill or the report has been in  
31 print in Legislative Counsel form and available to the public,  
32 accompanied by appropriate maps, for at least 24 hours.

33 (I) If either house refuses to adopt the report of the committee  
34 on conference, the bill may be returned to the committee on  
35 conference for further consideration. If the bill is returned to the  
36 committee on conference for an amendment described in  
37 paragraph (1) or (2) of subdivision (g), the notice requirements of  
38 subdivisions (e) and (h) do not apply.

39 (j) Notwithstanding any other rule, this rule may be suspended  
40 upon a majority vote of the membership of each house.



Uniform Rules

63. A standing committee of either house may not adopt or apply any rule or procedure governing the voting upon bills that is not equally applicable to the bills of both houses.

Votes on Bills

64. Every meeting of each house and standing committee or subcommittee thereof where a vote is to be taken on a bill, or amendments to a bill, shall be public.

Conflicting Rules

65. The provisions of Rule 50 and following of these rules prevail over any conflicting joint rule with a lesser number.